



RESTRICT 2007031276
9 PGS

SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

FOR

A PORTION OF THE SIENNA EQUESTRIAN CENTER RESERVES A AND B

(SIENNA PLANTATION RESIDENTIAL ASSOCIATION, INC.)

After recording return to:

Marc D. Markel/Richa Himani
Roberts Markel Bale P.C.
2800 Post Oak, 57th Floor
Houston, Texas 77056

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SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
A PORTION OF A PORTION OF THE SIENNA EQUESTRIAN CENTER RESERVES A AND B
(SIENNA PLANTATION RESIDENTIAL ASSOCIATION, INC.)

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR A PORTION OF THE SIENNA EQUESTRIAN CENTER RESERVES A AND B (the "Supplemental Declaration") is made by Sienna/Johnson Development, L.P., a Texas limited partnership, (hereinafter referred to as "Declarant") (the successor in interest to Sienna/Johnson Development GP, LLC, formerly known as AFG Johnson Development, L.L.C.) with the joinder and consent of the Sienna Plantation Residential Association, Inc., (hereinafter referred to as the "Association"), and Sienna Stables Land, Ltd., a Texas limited partnership.

WITNESSETH:

WHEREAS, the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SIENNA PLANTATION (SIENNA PLANTATION RESIDENTIAL ASSOCIATION, INC.), was filed of record under Clerk's File Number 9734406 in the Official Public Records of Real Property of Fort Bend County, Texas (the "Original Declaration"); and

WHEREAS, the property encumbered by the Original Declaration, and any subsequently annexed property is under the jurisdiction the Association; and

WHEREAS, the FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SIENNA PLANTATION (SIENNA PLANTATION RESIDENTIAL ASSOCIATION, INC.) was filed of record under Clerk's File Number 200009474 in the Official Public Records of Real Property of Fort Bend County, Texas (the "First Amendment"); and

WHEREAS, the AMENDED AND RESTATED FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SIENNA PLANTATION (SIENNA PLANTATION RESIDENTIAL ASSOCIATION, INC.) was filed of record under Clerk's File Number 2000019691 in the Official Public Records of Real Property of Fort Bend County, Texas (the "Amended First Amendment"); and

WHEREAS, the SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SIENNA PLANTATION (SIENNA PLANTATION RESIDENTIAL ASSOCIATION, INC.) was filed of record under Clerk's File Number 2000053209 in

the Official Public Records of Real Property of Fort Bend County, Texas (the "Second Amendment"); and

WHEREAS, the Original Declaration, the First Amendment, the Amended First Amendment, and the Second Amendment are hereinafter, collectively, referred to as the "Declaration;" and

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

WHEREAS, pursuant to Article VIII, Section 1 of the Original Declaration, the Declarant, as the owner thereof, or if not the owner, with consent of the owner, reserved the right, privilege and option to annex real property within the 7,300 acre Sienna Plantation project or in the vicinity of such project to the jurisdiction of the Association; and

WHEREAS, Sienna Stables Land, Ltd. (together with its successors and/or assigns, hereinafter referred to as the "Owner") is the owner of the Sienna Equestrian Center Reserves A and B, more particularly described on the Map or Plat thereof recorded in FBCOPR of the Plat Records of Fort Bend County, Texas (the "Five Acres"); and 20060258

WHEREAS, the Declarant, the Owner and the Association wish to annex 0.295 acres of the Five Acres, more particularly described via metes and bounds on the attached Exhibit A (the "Residential Property") into the jurisdiction of the Association.

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, with the joinder and consent of the Association, the Declarant and the Association hereby annex the Residential Property into the Properties and the jurisdiction of the Association. The Residential Property shall hereinafter carry with it all the rights, privileges and obligations granted to the Properties described in the Declaration, including but not limited to the right to be annexed, and is hereby annexed into the body of the Properties subject to the Declaration.

The Residential Property shall be restricted by the provisions of this Supplemental Declaration and the Declaration, as same may be amended from time to time. The restrictions and covenants contained in this Supplemental Declaration and the Declaration, including, but not limited to, restrictions and covenants regarding assessments and architectural issues, shall be in addition to and shall supplement any other restrictions and covenants that may encumber the Residential Property. The Residential Property shall be considered one Lot for the purposes of the Declaration, including for purposes of (i) membership and voting, whereby the Owner shall be considered a Member, having one vote for the Residential Property, and (ii) assessments. Owners hereby represent and warrant that on the date of recording of this Supplemental Declaration (x) no residence exists on the Residential Property, (y) the Residential Property is not being used as homestead by the Owners, and (z) no right of homestead exists on the Residential Property.

Owners of the Residential Property are advised that in close vicinity to the Residential Property there exists a tract of land (the "Land"), currently owned and operated by Sienna Stables Land, Ltd. The Land is presently intended to be used as an equestrian center for the boarding and training of horses and related activities. The Land is not currently subject to the jurisdiction of the Association. Owners hereby agree to hold harmless the Declarant and the Association, their directors, officers, managers, agents, employees and their successors and assigns and release them from any liability for the existence,

placement, and/or maintenance of the Land and any animals thereon and agree to indemnify the parties released from any damages they may sustain. Owners further grant an easement to the owner/operator of the Land, the Declarant and the Association for any incidental noise, odors, visibility of and/or from the Land, and/or other nuisance (including, existence of flies or other pests) or traffic which may occur due to the existence of the Land or the animals upon the Land. Owners hereby acknowledge that the Association, its directors, officers, managers, agents, or employees, the Declarant (its partners, directors, officers, managers, agents, or employees) or any successor Declarant have made no representations or warranties nor has any Owner, occupant, tenant, guest or invitee relied upon any representations or warranties, expressed or implied, relative to any future change in use of the Land.

All capitalized terms are as defined in the Declaration.

If any provision of this Supplemental Declaration is found to be in conflict with the Declaration, as amended, this Supplemental Declaration shall control.

IN WITNESS WHEREOF, this Supplemental Declaration of Covenants, Conditions and Restrictions for a Portion the Sienna Equestrian Center Reserves A and B, is executed as of the 19th day of February, 2007.

DECLARANT:

SIENNA/JOHNSON DEVELOPMENT, L.P., a Texas limited partnership

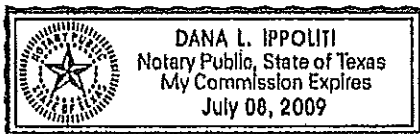
By: Sienna/Johnson Development GP, L.L.C., a Texas limited liability company, its general partner

By: Michael J. Smith
Print Name: Michael J. Smith
Print Title: Vice President and General Manager

STATE OF TEXAS §
COUNTY OF fort Bend §

BEFORE ME, the undersigned authority, on this day personally appeared Michael J. Smith the Vice President & General Manager of SIENNA/JOHNSON DEVELOPMENT GP, L.L.C., the general partner of SIENNA/JOHNSON DEVELOPMENT, L.P. known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she/he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 19th day of February, 2007.



Dana Ippoliti
Notary Public – State of Texas

ASSOCIATION:

SIENNA PLANTATION RESIDENTIAL
ASSOCIATION, INC., a Texas non-profit corporation

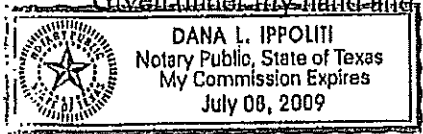
By: Michael J. Smith
Name: Michael J. Smith
Title: President

By: Susie Mahoney
Name: Susie Mahoney
Title: Secretary

STATE OF TEXAS §
COUNTY OF Fort Bend §

BEFORE ME, the undersigned authority, on this day personally appeared Michael J. Smith the President of SIENNA PLANTATION RESIDENTIAL ASSOCIATION, INC. known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 19th day of February, 2007.

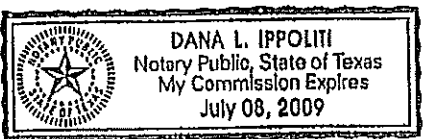


Dana L. Ippoliti
Notary Public - State of Texas

STATE OF TEXAS §
COUNTY OF Fort Bend §

BEFORE ME, the undersigned authority, on this day personally appeared Susie Mahoney the Secretary of SIENNA PLANTATION RESIDENTIAL ASSOCIATION, INC. known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 19th day of February, 2007.



Dana L. Ippoliti
Notary Public - State of Texas

EXHIBIT A

METES AND BOUNDS DESCRIPTION OF THE RESIDENTIAL PROPERTY

January 3, 2007
Job No. 9999-0410

DESCRIPTION OF
0.295 ACRE
RESERVE "B"
SIENNA EQUESTRIAN CENTER RESERVES A AND B

All that certain tract or parcel containing 0.295 acre (12,860 square feet) of land in the Thomas Barnett League, A-7, Fort Bend County, Texas, being part of that certain tract called 5.000 acres conveyed to Sienna Stables Land, Ltd., by an instrument of record in File No. 2005133925 of the Official Records of said Fort Bend County (F.B.C.O.R.), more particularly being all of that certain tract called 0.295 acre described as Reserve "B" of Sienna Equestrian Center Reserves A and B, a subdivision of record on Plat No. 20060258 of the Plat Records of said Fort Bend County (F.B.C.P.R.) and being more particularly described by mates and bounds as follows, all bearings referenced to the Texas State Plane Coordinate System, South Central Zone;

.....BEGINNING at the southwest corner of said 5.000 acre tract, same being the southwest corner of said subdivision, the southwest corner of said Reserve "B", the northwest corner of Camp Sienna Trail Street Dedication, a subdivision of record on Plat No. 20050062 of the F.B.C.P.R. and on the east line of that certain tract called 15.857 acres conveyed to Sienna Plantation L.L.D. by an instrument of record in File No. 9741281 of the F.B.C.O.R.;

Thence North 02° 56' 50" West, 109.00 feet departing said Camp Sienna Trail Street Dedication, with the west line of said Equestrian Center, with the west line of said Reserve "B" and with the east line of said 15.857 acre tract to a point for corner, the northwest corner of said Reserve "B";

Thence North 86° 08' 54" East, 118.00 feet departing the west line of said Equestrian Center and the east line of said 15.857 acre tract and with the north line of said Reserve "B" to a point for corner;

Thence South 02° 56' 50" East, 109.00 feet to a point for corner, the southeast corner of said Reserve "B" and on the north line of the aforesaid Camp Sienna Trail Street Dedication;

Thence South 86° 08' 54" West, 118.00 feet with the south line of said Reserve "B" and with the north line of said Camp Sienna Trail Street Dedication to the POINT OF BEGINNING and containing 0.295 acre (12,860 square feet) of land.

LJA Engineering & Surveying, Inc.

Ret:

Roberts, Markel, Bale PC
2800 Post Oak Blvd
51th Floor
Houston, TX 77056

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dr. Dianne Wilson

2007 Mar 14 04:18 PM

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Dianne Wilson, Ph.D. COUNTY CLERK

FT BEND COUNTY TEXAS