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GFS: Courtney Ka

Third Amendment

To

Declaration of Restrictive Covenants and Easements

The BioCorridor District

AFTER RECORDING, RETURN TO:

West, Webb, Albritton & Gentry, P.C.
Attn: Michael H. Gentry
1515 Emerald Plaza
College Station, Texas 77845

**THIRD AMENDMENT
TO
DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS
THE BIOCORRIDOR DISTRICT**

THIS THIRD AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS THE BIOCORRIDOR DISTRICT ("**Amendment**") is made this 29 day of April, 2015, by BRYAN/TRADITIONS, LP, a Texas limited partnership ("**Declarant**").

WITNESSETH:

- A. **WHEREAS**, Declarant recorded a Declaration of Restrictive Covenants and Easements The BioCorridor District on April 29, 2013, in the Official Records of Brazos County, Texas, at Volume 11313, Page 1, as amended by First Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on May 23, 2013, in the Official Records of Brazos County, Texas, at Volume 11439, Page 36, and by Second Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on March 3, 2015, in the Official Records of Brazos County, Texas, at Volume 12547, Page 266 (as amended now or in the future, the "**Declaration**");
- B. **WHEREAS**, all capitalized terms used herein that are not otherwise defined shall have the meaning given those words in the Declaration;
- C. **WHEREAS**, the Declaration identifies and defines the Additional Property which may be annexed into the District pursuant to Paragraph I(10) of Article III of the Declaration;
- D. **WHEREAS**, the property described on Exhibit D of the Declaration is expressly excluded as Additional Property;
- E. **WHEREAS**, Declarant is the owner of the certain real property described on Exhibit "A" attached hereto (collectively referred to herein as the "**Omitted Property**");
- F. **WHEREAS**, the Omitted Property is defined as Additional Property under the terms of the Declaration;
- G. **WHEREAS**, Declarant desires to amend the Declaration for the purpose of removing the Omitted Property from the Additional Property such that the provisions of Paragraph I(10) of Article III of the Declaration are inapplicable to the Omitted Property;
- H. **WHEREAS**, Paragraph I(4) of Article III of the Declaration authorizes the Declarant to amend the Declaration without the approval of any other Owner or Mortgagee if such amendment has no adverse effect on any such Owner or Mortgagee; and
- I. **WHEREAS**, this Amendment has no material adverse effect on any Owner or Mortgagee.

NOW, THEREFORE, Declarant hereby amends the Declaration as set forth below.

- 1. **Definition of Additional Property**. The Additional Property, as defined in the Declaration, is amended so that the Omitted Property is added to Exhibit D of the Declaration, as Excluded Property.
- 2. **No Other Changes**. Except as amended herein, the Declaration remains in full force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, duly authorized officers of the undersigned Declarant have executed this Declaration under seal, this 29th day of April, 2015.

DECLARANT:

BRYAN/TRADITIONS, LP, a Texas limited partnership

By: TRADITIONS ACQUISITION PARTNERSHIP GP, LLC,
a Texas limited liability company its General Partner

By: [Signature]
W. SPENCER CLEMENTS, JR.,
Vice President

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 29th day of April, 2015, by W. Spencer Clements, Jr., Vice President of Traditions Acquisition Partnership GP, LLC, a Texas limited liability company, the general partner of BRYAN/TRADITIONS, LP, a Texas limited partnership, acting for and on behalf of said limited partnership.

[Signature]

NOTARY PUBLIC, State of Texas

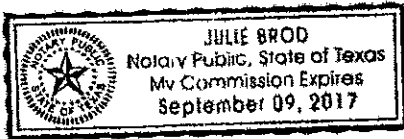


EXHIBIT A

Property Added to Excluded Property

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE J. H. JONES SURVEY, ABSTRACT NO. 26, BRAZOS COUNTY, TEXAS, SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 298.51 ACRE TRACT AS DESCRIBED BY A DEED TO BRYAN COMMERCE AND DEVELOPMENT INCORPORATED RECORDED IN VOLUME 4006, PAGE 195 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF THE REMAINDER OF A CALLED 838 ACRE TRACT AS DESCRIBED BY A DEED TO TEXAS A&M UNIVERSITY (AGRICULTURAL AND MECHANICAL COLLEGE OF TEXAS) RECORDED IN VOLUME "M", PAGE 142 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE NORTH CORNER OF A CALLED 73.428 ACRE TRACT AS DESCRIBED BY A DEED TO GLORIA STEPHEN SALE RECORDED IN VOLUME 3357, PAGE 50 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND THE EAST CORNER OF SAID REMAINDER OF 293.51 ACRE TRACT;

THENCE: S 41° 49' 43" W CONTINUING ALONG THE COMMON LINE OF SAID REMAINDER OF 298.51 ACRE TRACT AND SAID 73.428 ACRE TRACT FOR A DISTANCE OF 1121.04 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID 73.428 ACRE TRACT AND THE NORTH CORNER OF THE REMAINDER OF A CALLED 87.20 ACRE TRACT DESCRIBED AS TRACT 1 BY A DEED TO BRYAN COMMERCE AND DEVELOPMENT, INC. RECORDED IN VOLUME 4023, PAGE 71 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 41° 59' 15" W ALONG THE COMMON LINE OF SAID REMAINDER OF 298.51 ACRE TRACT AND SAID REMAINDER OF 87.20 ACRE TRACT FOR A DISTANCE OF 147.46 FEET;

THENCE: THROUGH SAID REMAINDER OF 298.51 ACRE TRACT FOR THE FOLLOWING CALLS:

S 71° 54' 56" W FOR A DISTANCE OF 289.67 FEET;

S 02° 01' 34" W FOR A DISTANCE OF 228.00 FEET TO A POINT ON THE COMMON LINE OF SAID REMAINDER OF 298.51 ACRE TRACT AND THE REMAINDER OF A CALLED 87.88 ACRE TRACT DESCRIBED AS TRACT 3 BY A DEED TO TRADITIONS CLUB BY MELROSE, LLC RECORDED IN VOLUME 5153, PAGE 1 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 175.00 FEET;

THENCE: ALONG THE COMMON LINE OF SAID REMAINDER OF 87.88 ACRE TRACT AND SAID REMAINDER OF 298.51 ACRE TRACT FOR THE FOLLOWING CALLS:

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 53° 44' 31" FOR AN ARC DISTANCE OF 164.15 FEET (CHORD BEARS: N 45° 32' 09" W - 158.19 FEET) TO A 1/2 INCH IRON ROD FOUND MARKING THE END OF SAID CURVE;

N 72° 24' 23" W FOR A DISTANCE OF 679.95 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 60.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 144° 24' 13" FOR AN ARC DISTANCE OF 151.22 FEET (CHORD BEARS: N 00° 12' 18" W - 114.26 FEET) TO THE END OF SAID CURVE, FOR REFERENCE A 1/2 INCH IRON ROD FOUND BEARS: N 13° 31' 28" W FOR A DISTANCE OF 0.17 FEET;

N 71° 59' 48" E FOR A DISTANCE OF 769.97 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 175.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30° 25' 07" FOR AN ARC DISTANCE OF 92.91 FEET (CHORD BEARS: N 56° 47' 15" E - 91.82 FEET) TO A 1/2 INCH IRON ROD SET MARKING THE END OF SAID CURVE;

N 41° 36' 36" E FOR A DISTANCE OF 535.68 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 175.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28° 36' 06" FOR AN ARC DISTANCE OF 87.36 FEET (CHORD BEARS: N 55° 52' 44" B - 86.45 FEET) TO THE END OF SAID CURVE, FOR REFERENCE A 1/2 INCH IRON ROD FOUND BEARS: N 52° 14' 09" E FOR A DISTANCE OF 0.27 FEET;

N 70° 10' 47" E, FOR A DISTANCE OF 198.78 FEET TO A 1/2 INCH IRON ROD SET MARKING THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 175.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 96° 39' 09" FOR AN ARC DISTANCE OF 295.21 FEET (CHORD BEARS: N 21° 51' 10" E - 261.43 FEET) TO THE END OF SAID CURVE;

THENCE: THROUGH SAID REMAINDER OF 298.51 ACRE TRACT FOR THE FOLLOWING CALLS:

N 74° 33' 15" E FOR A DISTANCE OF 44.12 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 275.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03° 54' 42" FOR AN ARC DISTANCE OF 18.77 FEET (CHORD BEARS: N 21° 47' 28" W - 18.77 FEET) TO THE END OF SAID CURVE;

N 19° 50' 07" W FOR A DISTANCE OF 135.28 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 225.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38° 35' 56" FOR AN ARC DISTANCE OF 151.58 FEET (CHORD BEARS: N 39° 08' 05" W - 148.73 FEET) TO THE COMMON LINE OF SAID REMAINDER OF 298.51 ACRE TRACT AND SAID REMAINDER OF 87.88 ACRE TRACT;

THENCE: ALONG THE COMMON LINE OF SAID REMAINDER OF 298.51 ACRE TRACT AND SAID REMAINDER OF 87.88 ACRE TRACT FOR THE FOLLOWING CALLS:

N 19° 07' 52" E FOR A DISTANCE OF 2.40 FEET TO A 1/2 INCH IRON ROD SET;

N 62° 31' 13" W FOR A DISTANCE OF 29.20 FEET TO THE EASTERLY LINE OF NORTH TRADITIONS DRIVE (VARIABLE WIDTH R.O.W.) MARKING THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 355.00 FEET, FOR REFERENCE A 1/2 INCH IRON ROD FOUND BEARS: S 86° 46' 38" W FOR A DISTANCE OF 0.14 FEET;

THENCE: ALONG THE EASTERLY LINE OF NORTH TRADITIONS DRIVE FOR THE FOLLOWING CALLS:

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03° 38' 00" FOR AN ARC DISTANCE OF 22.51 FEET (CHORD BEARS: N 25° 39' 45" E - 22.51 FEET) TO A 1/2 INCH IRON ROD SET MARKING THE END OF SAID CURVE;

N 23° 50' 45" E FOR A DISTANCE OF 25.35 FEET, FOR REFERENCE A 1/2 INCH IRON ROD ON THE EASTERLY LINE OF NORTH TRADITIONS DRIVE BEARS: N 23° 50' 45" E FOR A DISTANCE OF 94.60 FEET;

THENCE: THROUGH SAID REMAINDER OF 298.51 ACRE TRACT FOR THE FOLLOWING CALLS:

S 64° 40' 57" E FOR A DISTANCE OF 5.47 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 275.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44° 50' 49" FOR AN ARC DISTANCE OF 215.25 FEET (CHORD BEARS: S 42° 15' 32" E - 209.80 FEET) TO THE END OF SAID CURVE;

S 19° 50' 07" E FOR A DISTANCE OF 135.28 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 225.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51° 29' 25" FOR AN ARC DISTANCE OF 202.20 FEET (CHORD BEARS: S 45° 34' 50" E - 195.47 FEET) TO THE END OF SAID CURVE;

S 71° 19' 33" E FOR A DISTANCE OF 1.42 FEET;

S 18° 40' 27" W FOR A DISTANCE OF 50.00 FEET;

S 71° 19' 33" E FOR A DISTANCE OF 84.82 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 225.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23° 09' 42" FOR AN ARC DISTANCE OF 90.96 FEET
(CHORD BEARS: S 59° 44' 42" E - 90.34 FEET) TO THE END OF SAID CURVE;

S 48° 09' 51" E FOR A DISTANCE OF 6.06 TO THE POINT OF BEGINNING CONTAINING 19.671 ACRES OF LAND,
MORE OR LESS, AS SURVEYED ON THE GROUND FEBRUARY 2014. BEARING SYSTEM SHOWN HEREIN IS
BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

Filed for Record in:
BRAZOS COUNTY

On: Apr 30, 2015 at 02:34P

As a
NO LABEL RECORDING

Document Number: 01228796

Amount 40.00

Receipt Number -- 542876

By:
Becky Wright

STATE OF TEXAS COUNTY OF BRAZOS
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

as stamped hereon by me.

Apr 30, 2015

Karen McQueen, Brazos County Clerk
BRAZOS COUNTY