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**Fifth Amendment**  
**To**  
**Declaration of Restrictive Covenants and Easements**  
**The BioCorridor District**

**AFTER RECORDING, RETURN TO:**

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

BioCorridor CCR 5th Amendment

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

THIS FIFTH AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS THE BIOCORRIDOR DISTRICT ("Amendment") is made this 10<sup>th</sup> day of February, 2016, 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 Correction Affidavit on June 3, 2013 recorded at Volume 11382, Page 176 of the Official Records of Brazos County, Texas, 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, 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, by Third Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on April 29, 2015, in the Official Records of Brazos County, Texas, at Volume 12651, Page 256, and by Fourth Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on January 5, 2016, in the Official Records of Brazos County, Texas, at Volume 13125, Page 288 (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**, Declarant is the owner of the certain real property described on Exhibit "A" attached hereto (collectively referred to herein as the "Added Property");
- E. **WHEREAS**, the Added Property is defined as Additional Property under the terms of the Declaration;
- F. **WHEREAS**, Declarant desires to amend the Declaration for the purpose of adding the Added Property to the definition of Property and to annex the Added Property into the District;
- G. **WHEREAS**, Declarant previously created the Atlas Sub-District and desires to annex the Added Property into the Atlas Sub-District and to designate certain portions of the Added Property as Limited Common Areas of the Atlas Sub-District;
- 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 Property and Annexation of Added Property into the District.** The Property, as defined in the Declaration and further described on Exhibit "A" to the Declaration is amended so that the Added Property is added to and included in the definition of Property, and the Added Property is hereby annexed into the District.

2. **Annexation of Added Property into the Atlas Sub-District.** The Added Property is hereby annexed into and made a part of the Atlas Sub-District.
3. **Limited Common Areas of the Atlas Sub-District.** The definition of the Atlas Sub-District Limited Common Areas is hereby amended to include that portion of the Added Property as described on **Exhibit "B"** attached hereto, and such described property shall be considered as Limited Common Areas of the Atlas Sub-District for all purposes.
4. **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 10<sup>th</sup> day of February, 2016.

**DECLARANT:**

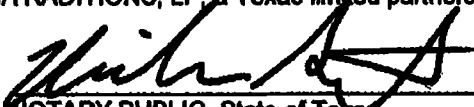
BRYAN/TRADITIONS, LP, a Texas limited partnership

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

By:   
W. SPENCER CLEMENTS, JR.,  
Vice President

STATE OF TEXAS       §  
                                  §  
                                  §  
COUNTY OF BRAZOS   §

This instrument was acknowledged before me on the 10 day of February, 2016, 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.

  
NOTARY PUBLIC, State of Texas



**EXHIBIT A**

**Property Added to Property and District and Atlas Sub-District**

**Lot One (1), Block One (1), The Traditions Subdivision Phase 30, City of Bryan, according to the plat thereof recorded in Volume 13166, Page 95, Official Records, Brazos County, Texas.**

**Common Area 1, Block 1, The Traditions Subdivision Phase 30, City of Bryan, according to the plat thereof recorded in Volume 13166, Page 95, Official Records, Brazos County, Texas.**

**EXHIBIT B**

**Property Added to Limited Common Areas of the Atlas Sub-District**

Common Area 1, Block 1, The Traditions Subdivision Phase 30, City of Bryan, according to the plat thereof recorded in Volume 13166, Page 95, Official Records, Brazos County, Texas.

Filed for Record in:  
BRAZOS COUNTY

On: Feb 11, 2016 at 02:34P

As a  
NO LABEL RECORDING

Document Number: 01255611

Amount 46.00

Receipt Number - 567063

By:  
Becky Wrisht

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.

Feb 11, 2016

Karen McQueen, Brazos County Clerk  
BRAZOS COUNTY