

**CLARIFICATION OF SETBACK LINES IN
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
LANTERN COVE**

THE STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

FACTS

BONSCOTT-WALLIS PROPERTIES, LLC, hereinafter called the Declarant, is the owner of that real property in Brazos County, Texas ("the Property"), which is more particularly described in the Declaration of Covenants, Condition and Restrictions of Lantern Cove Subdivision ("Lantern Cove") recorded in Volume 14053, page 223, Official Records, Brazos County, Texas ("the Declaration"), and on the plat of Lantern Cove recorded in Volume 13408, page 198, Official Records, Brazos County, Texas ("the Plat").

By this instrument ("the Clarification"), the Declarant desires to clarify a conflict and discrepancy regarding the building setback lines within Lantern Cove which has arisen due to inconsistent standards in the Declaration and the Plat.

The Plat states in the Final Plat Notes on the Plat that the rear building setback line is fifty feet (50') and the side building setback line is twenty feet (20'). The Declaration states in Section 4.06 that the rear building setback line is twenty-five feet (25') and the side building setback line is twenty-five (25'). There is not a discrepancy between the Plat and the Declaration for the front building setback line or the side street building setback line.

CLARIFICATION

Considering the facts, it is hereby declared that the conflict between the Plat and the Declaration is resolved as follows:

- 1.01 Section 4.06 of the Declaration is amended to provide that the rear building setback line will be fifty feet (50'). All other building setback distances will remain as stated in the Declaration.
- 1.02 The Final Plat Notes on the Plat are amended to provide that the side building setback line will be twenty-five (25'). All other building setback distances will remain as stated on the Plat.

Except as provided herein, the Declaration and Final Plat Notes are not amended, and all of the Property shall be held, sold, conveyed and occupied subject to the covenants, conditions, restrictions, liens and charges set out in the Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with, the Property and which shall be binding on all parties having any right, title, or interest in or to the Property or any part thereof, their heirs, successors, and assigns, and which shall inure to the benefit of each owner thereof; and each contract or deed that may hereafter be executed with regard to the Property or any portion thereof shall conclusively be held to have been executed, delivered and accepted subject to the following covenants, conditions and restrictions regardless of whether or not the same are set out or referred to in said contract or deed.

This Clarification is made by Declarant pursuant to the exclusive right of Declarant to amend the Declaration as provided in Section 9.02 (A) of the Declaration.

IN WITNESS WHEREOF, Declarant has executed this Clarification as of this 3rd day of July, 2018.

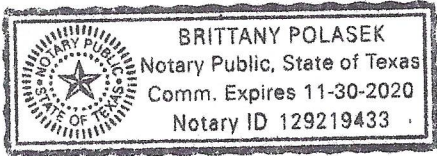
BONSCOTT-WALLIS PROPERTIES, LLC,

By: *Paul Bonarrigo*
Name: PAUL BONARRIGO
Title: OWNER

STATE OF TEXAS

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 03 day of July, 2018, by ~~Brittany Bonarrigo~~ Paul of BONSCOTT-WALLIS PROPERTIES, LLC, on behalf of said limited liability company, in the capacity therein stated.



Brittany Polasek
NOTARY PUBLIC, State of Texas

PREPARED BY HOELSCHER, LIPSEY, ELMORE, POOLE & TURNBILL, P.C.
1021 University Drive East
College Station, Texas 77840
DECLANLANTERN COVE\Clarification (1a) 150845