


 MARY LOUISE NICHOLSON
 COUNTY CLERK

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

AFTER RECORDING, RETURN TO:
 Crowley Creekside Homeowner's Association, Inc.
 c/o Essex Association Management, L.P.
 1512 Crescent Drive, Suite 112
 Carrollton, Texas 75006

STATE OF TEXAS §
 §
 COUNTY OF TARRANT §

**THIRD AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS,
 CONDITIONS AND RESTRICTIONS FOR CREEKSIDE**
(Creekside Phase 5, Tarrant County, Texas)

THIS AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CREEKSIDE AND PARTIAL ASSIGNMENT OF DECLARANT RIGHTS (this "Supplement") is made and entered into as of September 1, 2021 (the "Effective Date") by MM CREEKSIDE CROWLEY, LLC, a Texas limited liability company ("Declarant").

PRELIMINARY STATEMENTS

A. One Creekside, L.P., a Texas limited partnership (the "Original Declarant") executed that certain Declaration of Covenants, Conditions and Restrictions for Creekside dated March 30, 2005 and recorded on March 4, 2005 as Instrument No. D205060912 in the Official Public Records of Tarrant County, Texas, as modified and amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for Creekside dated January 30, 2019, recorded on February 28, 2019 as Instrument No. D219038954 in the Official Public Records of Tarrant County, Texas, and as further modified and amended by that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions for Creekside dated July, 2019, recorded on September 22, 2021, as Instrument No. D221276143 in the Official Public Records of Tarrant County, Texas (as modified and amended, the "Declaration").

B. In accordance with the terms of the Declaration, by the terms of that certain Partial Assignment of Declarant Rights recorded on October 11, 2019 as Instrument No. D219233287 in the Official Public Records of Tarrant County, Texas (the "Prior Partial Assignment of Declarant Rights"), the Original Declarant previously assigned in part its rights as "Declarant" under the Declaration with respect to fifty (50) Lots described in such Prior Partial Assignment of Declarant Rights as the "Conveyed Property" and acquired by Starlight Homes Texas L.L.C., a Delaware limited liability company ("Starlight").

C. In accordance with the terms of the Declaration, Original Declarant assigned all of its remaining rights as “Declarant” under the Declaration to the Declarant by that certain Assignment and Assumption of Declarant’s Rights and Obligations dated September 1, 2021, and recorded on September 23, 2021, as Instrument No. D221277969 in the Official Public Records of Tarrant County, Texas (the “Assignment of Declarant Rights”), and Declarant holds all rights under the Declaration as “Declarant” with respect to the real property subject thereto, other than the “Conveyed Property” (as defined in the Prior Partial Assignment of Declarant Rights).

D. In accordance with the terms of the Declaration, including, without limitation, Section 8.1 of the Declaration, Declarant may, at any time and from time to time, add additional property to become a portion of the Property (as defined in the Declaration) and, upon the filing of a supplement to the Declaration in the Records of Tarrant County.

C. Declarant is the owner of and desires to annex the real property described on Exhibit A-1 attached hereto and incorporated herein by reference (the “Additional Land”) with Declarant being the “Declarant” with respect to the Additional Land, and executes and records this Supplement as evidence of its approval of inclusion and annexation of the Additional Land into the Property subject to the Declaration.

D. Declarant intends that the Additional Land be considered Property for purposes of this Declaration, and that all of the terms, covenants, conditions, restrictions and obligations of the Declaration, including the rights of Declarant as the “Declarant” with respect to the Additional Land, will apply to the Additional Land, and Declarant desires to amend the Declaration to include such Additional Land within the Property, subject to the terms of this Supplement.

NOW, THEREFORE, Declarant does hereby adopt this Supplement as follows:

1. Definitions. Unless otherwise defined in this Supplement, all capitalized words or terms used herein shall be defined and have the meaning set forth in the Declaration as modified and amended hereby.

2. Additional Land Subject to Declaration. In accordance with the provisions of the Declaration, including, without limitation, Section 8.1 of the Declaration, Declarant does hereby amend the Declaration to include the Additional Land as part of the Property subject to the Declaration, with such Additional Land developed or to be developed as Lots and/or Common Area, in accordance with a Plat or Plats approved or to be approved and recorded in the map/plat records of Tarrant County, Texas. In this regard, the Declarant hereby adopts, establishes and imposes the covenants, conditions, restrictions, assessments, easements, liens and charges of the Declaration as they apply to Lots and Common Areas upon the Additional Land, and declares that Additional Land and all portions thereof are and shall be held, transferred, used, assigned, sold, conveyed and occupied subject to all such covenants, conditions, restrictions, assessments, easements, liens and charges as set forth in the Declaration with respect to Additional Land as set forth in this Supplement. Each Lot within the Additional Land shall be subject to the use restrictions and architectural controls as provided in the Declaration which apply to Lots and any residence or other improvement or structure constructed thereon. *Exhibit A* attached to the Declaration is hereby modified and amended to add to the land originally described on such

Exhibit A, the Additional Land described on Exhibit A-1 attached hereto as if same was originally included in the Declaration.

3. Declarant as "Declarant"; Membership and Voting Rights. Declarant shall be the "Declarant" with respect to the Additional Land for all purposes under the Declaration. Each Owner of a Lot within the Additional Land shall automatically be, and must remain, a Member of the Association so long as such person or entity is an Owner, as provided in the Declaration.

4. Assessments. Each Owner of a Lot within the Additional Land, by acceptance of a deed or other conveyance or transfer of legal title to a Lot, whether or not it shall be so expressed in any such deed or other conveyance or transfer, shall be deemed to have covenanted and agreed to pay to the Association, or to an independent entity or agency which may be designated by the Association to receive such monies, Assessments as provided in the Declaration. An assessment lien is created and reserved in favor of the Association to secure collection of the assessments as provided in the Declaration. Until and unless otherwise determined by the Board of Directors of the Association, the annual assessment for Lots in the Additional Land shall be the same as that charged to all other Lots within the Property.

5. No Other Effect. Except as expressly amended by this Supplement solely with respect to the Additional Land, the terms and provisions of the Declaration are not amended, modified or supplemented, and the Declaration, as amended hereby solely with respect to the Additional Land, is hereby supplemented and amended by the Declarant, and the Additional Land is hereby affected by and included in the Property affected by such Declaration as set forth herein.

6. Severability. Invalidation of anyone provision of this Supplement by judgment or court order shall in no way affect any other provision of this Supplement or the remainder of this Supplement which shall remain in full force and effect. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Supplement a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

8. Headings. The headings contained in this Supplement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Supplement.

REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed to be effective as of the Effective Date.

DECLARANT:
MM CREEKSIDE CROWLEY, LLC,
a Texas limited liability company

By:
Mehrdad Moayed, Manager

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this 5th day of October, 2021, by Mehrdad Moayed, the Manager of MM CREEKSIDE CROWLEY, LLC, a Texas limited liability company, known to me to be the person and officer 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 as the act and deed of said limited liability company, and in the capacity therein stated.

Notary Public, State of Texas

[SEAL]

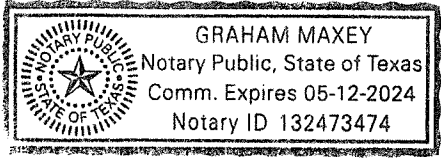


EXHIBIT A-1**LEGAL DESCRIPTION OF THE ADDITIONAL LAND**

BEING A TRACT OF LAND SITUATED IN THE ELY WICKSON SURVEY, ABSTRACT NUMBER 1691, THE D.A. KERR SURVEY, ABSTRACT NUMBER 911, AND THE J. W. GORBETT SURVEY, ABSTRACT NUMBER 608, CITY OF CROWLEY, TARRANT COUNTY, TEXAS, BEING ALL OF THAT TRACT OF LAND DESCRIBED BY DEED TO WATERVIEW ESTATES NORTH, L.P. RECORDED IN INSTRUMENT NUMBER D213110912, COUNTY RECORDS, TARRANT COUNTY, TEXAS, BEING ALL OF THAT TRACT OF LAND DESCRIBED BY DEED TO ONE CREEKSIDE, L.P. RECORDED IN INSTRUMENT NUMBER D204079390, SAID COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" FOUND AT THE NORTHEAST CORNER OF SAID WATERVIEW ESTATES NORTH TRACT, BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED BY DEED TO GIBSON PROPERTY MANAGEMENT, LLC RECORDED IN INSTRUMENT NUMBER D216166001, SAID COUNTY RECORDS AND BEING IN THE SOUTH RIGHT-OF-WAY LINE OF FARM TO MARKET HIGHWAY 1187 (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE S 14° 08' 17" W, 670.39 FEET, WITH THE EAST LINE OF SAID WATERVIEW ESTATES NORTH TRACT AND THE WEST LINE OF SAID GIBSON PROPERTY MANAGEMENT TRACT TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET AT THE SOUTHWEST CORNER OF SAID GIBSON PROPERTY MANAGEMENT TRACT;

THENCE S 77° 46' 46" E, 675.46 FEET, WITH A NORTH LINE OF SAID WATERVIEW ESTATES NORTH TRACT AND THE SOUTH LINE OF SAID GIBSON PROPERTY MANAGEMENT TRACT TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET AT THE SOUTHEAST CORNER OF SAID GIBSON PROPERTY MANAGEMENT TRACT, BEING IN THE WEST RIGHT-OF-WAY LINE OF CANOE WAY (A VARIABLE WIDTH RIGHT-OF-WAY) AS SHOWN ON THE PLAT OF CREEKSIDE ADDITION PHASE VI, AN ADDITION TO THE CITY OF CROWLEY RECORDED IN CABINET A, SLIDE 11467, SAID COUNTY RECORDS, THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE WITH SAID RIGHT-OF-WAY LINE AND NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 323.91 FEET, THROUGH A CENTRAL ANGLE OF 22° 21' 35", HAVING A RADIUS OF 830.00 FEET, THE LONG CHORD WHICH BEARS S 25° 54' 44" W, 321.86 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "CARTER & BURGESS" FOUND AT THE SOUTHWEST TERMINUS OF SAID CANOE WAY, BEING THE SOUTHWEST CORNER OF SAID PHASE VI;

THENCE WITH THE NORTH LINE OF SAID WATERVIEW ESTATES NORTH TRACT AND THE SOUTH LINE OF SAID PHASE VI THE FOLLOWING BEARINGS AND DISTANCES:

S 54° 11'50"E, 306.24 FEET, TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET;

S 75° 11'29"E, 36.29 FEET, , TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET;

N 89° 27'42"E, 1139.02 FEET, , TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" FOUND;

N 44° 54'25"E, 116.13 FEET, TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET;

S 45° 05'35"E, 150.00 FEET, TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET;

S 44° 54'25"W, 317.11 FEET, TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET;

S 85° 26'37"E, 415.83 FEET, TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET AT THE MOST EASTERLY NORTHEAST CORNER OF SAID WATERVIEW ESTATES NORTH TRACT, BEING THE SOUTHEAST CORNER OF SAID PHASE VI AND BEING IN THE WEST RIGHT-OF-WAY LINE OF THE GULF, COLORADO, & SANTA FE RAILROAD (A 100' RIGHT-OF-WAY);

THENCE S 09° 39'42"W, WITH THE EAST LINE OF SAID WATERVIEW ESTATES NORTH TRACT AND SAID WEST RIGHT-OF-WAY LINE, AT 849.44 FEET THE SOUTHEAST CORNER OF SAID WATERVIEW ESTATES NORTH TRACT, BEING THE NORTHEAST CORNER OF AFOREMENTIONED ONE CREEKSIDE TRACT, CONTINUING WITH THE EAST LINE OF SAID ONE CREEKSIDE TRACT, IN ALL 1370.75 FEET TO A 1 INCH IRON ROD WITH NO CAP FOUND AT THE SOUTHEAST CORNER OF SAID ONE CREEKSIDE TRACT, BEING IN THE NORTH LINE OF BLOCK 1, HORSE CREEK FARMS ADDITION, AN ADDITION TO THE CITY OF CROWLEY RECORDED IN CABINET A, SLIDE 5675, SAID COUNTY RECORDS;

THENCE N 70° 03'03"W, WITH THE SOUTH LINE OF SAID ONE CREEKSIDE TRACT AND THE NORTH LINE OF SAID BLOCK 1, AT 816.94 FEET THE SOUTHWEST CORNER OF SAID ONE CREEKSIDE TRACT, BEING A SOUTHEAST CORNER OF SAID WATERVIEW ESTATES NORTH TRACT, CONTINUING WITH THE SOUTH LINE OF SAID WATERVIEW ESTATES NORTH TRACT, IN ALL 1115.67 FEET TO A 3/4 INCH IRON ROD FOUND;

THENCE N 88° 44'43"W, 1342.69 FEET, CONTINUING WITH SAID SOUTH LINE TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET AT THE MOST EASTERLY SOUTHWEST CORNER OF SAID WATERVIEW ESTATES NORTH TRACT, BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED BY DEED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC. RECORDED IN VOLUME 14403, PAGE 441, SAID COUNTY RECORDS AND BEING THE MOST EASTERLY NORTHEAST CORNER OF LOT 1X, BLOCK 35, THE BRIDGES PHASE 4B, AN ADDITION TO THE CITY OF CROWLEY RECORDED IN INSTRUMENT NUMBER D218165102, SAID COUNTY RECORDS;

THENCE N 45° 53'03"W, 6.98 FEET, WITH THE SOUTHWEST LINE OF SAID WATERVIEW ESTATES NORTH TRACT AND THE NORTHEAST LINE OF SAID LOT 1X TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET AT THE MOST WESTERLY SOUTHWEST CORNER OF SAID WATERVIEW ESTATES NORTH TRACT AND THE MOST WESTERLY NORTHEAST CORNER OF SAID LOT 1X, BEING THE SOUTHEAST CORNER OF LOT 1X, BLOCK X, LASATER RANCH PHASE 3, AN ADDITION TO THE CITY OF CROWLEY RECORDED IN INSTRUMENT NUMBER D218256618, SAID COUNTY RECORDS:

THENCE N 00° 40'51"W, WITH THE WEST LINE OF SAID WATERVIEW ESTATES NORTH TRACT AND THE EAST LINE OF SAID PHASE 3, AT 911.29 FEET A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "USA INC" FOUND AT THE NORTHEAST CORNER OF SAID PHASE 3, BEING THE SOUTHEAST CORNER OF LASATER RANCH PHASE 1, AN ADDITION TO THE CITY OF CROWLEY RECORDED IN CABINET A, SLIDE 9973, SAID COUNTY RECORDS, CONTINUING WITH THE EAST LINE OF SAID PHASE 1, IN ALL 2586.33 FEET, TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELTON" SET AT THE NORTHWEST CORNER OF SAID WATERVIEW ESTATES NORTH TRACT, BEING THE NORTHEAST CORNER OF SAID PHASE 1, AND BEING IN THE AFOREMENTIONED SOUTH RIGHT-OF-WAY LINE OF FARM TO MARKET HIGHWAY 1187:

THENCE S 77° 47'07"E, 511.42 FEET, WITH THE NORTH LINE OF SAID WATERVIEW ESTATES NORTH TRACT AND SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 4,157,516 SQUARE FEET OR 95.443 ACRES OF LAND MORE OR LESS.