

WY



**SIXTH AMENDMENT**  
*to*  
**DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS**  
*for*  
**RIVER'S RUN AT THE BRAZOS**  
**A SUBDIVISION IN FORT BEND COUNTY, TEXAS**

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THE STATE OF TEXAS	§	
	§	
COUNTY OF FORT BEND	§	KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, VENTANA DEVELOPMENT READING, LTD., a Texas limited partnership (the "Developer"), was the sole owner of that certain real property commonly known as River Run at the Brazos, Section One (1) (the "Subdivision") according to the plat recorded in the Official Public Recorded of Real Property Fort Bend County, Texas under County Clerk's File No. 2005053901.

WHEREAS, Developer by that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions for River's Run at the Brazos, Section One (1), a Subdivision in Fort Bend County, Texas" filed of record in the Official Public Records of Real Property of Fort Bend County, Texas, under County Clerk's File No. 2005099777, (the "Declaration"), imposed on the Subdivision all those certain covenants, conditions, restrictions, easements, charges, and liens therein set forth;

NOW, THEREFORE, the Developer amends the Declaration as set forth below.

Section 6.10 of Article VI, of the Declaration entitled "Assessments" is amended to read as follows:

**SECTION 6.10**      **RATE OF ASSESSMENT.** All Lots in the Section shall commence to bear their applicable Annual Assessment simultaneously on the date of substantial completion. For the purposes of this section "the date of substantial completion" shall be the later of (i) the date the Plat is recorded, or (ii) the date the engineer for the Section has been issued a letter certifying all the Lots in the Section have been substantially completed. Lots in the Section owned by the Developer are not exempt from assessment. Lots, which are occupied by residents, shall be subject to the Annual Assessment determined by the Board of Directors of the Association in accordance with the provisions hereof. Developed Lots in the Subdivision, which are not occupied by a resident and which are owned by the Developer shall be assessed at one-quarter (¼) of the Annual Assessment. Developed Lots owned by a Builder or a building company for the business purpose of constructing a residential dwelling on the Lot for resale shall be assessed at the rate of one-half (½) of the Annual Assessment above for a period limited to one (1) year from the date the Lot is considered "Developed" or from the date the Lot was purchased from the Developer whichever is later, and thereafter shall be assessed the full assessment. The rate of assessment for an individual Lot, within a calendar year, can change as

IN WITNESS WHEREOF, the Declarant hereby executes this Fifth Amendment to be effective upon its filing of record in the Official Public Records of Real Property of Fort Bend County, Texas.

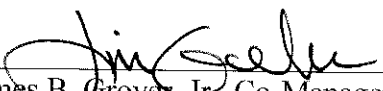
DATED this 3 day of May, 2012.

**DEVELOPER:**

**VENTANA DEVELOPMENT READING, LTD.**  
**a Texas limited partnership**

By: Ventana Reading Road, L.L.C.,  
General Partner

By:

  
James B. Grover, Jr., Co-Manager

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

Before me, a notary public, on this day personally appeared James B. Grover, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and consideration therein expressed. Given under my hand and seal of office this 3 day of May, 2012.

  
NOTARY PUBLIC - STATE OF TEXAS



**CONSENT AND SUBORDINATION OF LENDER**


The undersigned, being the owner and holder of a lien against the Subdivision, hereby consents to the "Declaration of Covenants, Conditions and Restrictions for River's Run at the Brazos, Section One (1), a Subdivision in Fort Bend County, Texas" filed of record in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File No. 2005099777 and the "Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for River's Run at the Brazos, a Subdivision in Fort Bend County, Texas" ("Declaration") and joins in to subordinate its lien to the Declaration so that the Declaration shall hereafter be considered the superior in title to all liens in favor of the undersigned against the Subdivision; and hereby further agrees that a foreclosure of any or all of its liens shall not affect the foregoing reservations, restrictions, covenants and conditions in the Declaration.

This consent and joinder shall not be construed or operate as a release of any mortgage or liens owned or held by the undersigned, or any part thereof, but the undersigned agrees that its liens shall hereafter be upon and against the Subdivision, subject to the foregoing Declaration (except that no provision hereof shall be construed to subordinate the liens of the undersigned to any liens reserved or referred to in the foregoing Declaration).

Executed as of May 8<sup>th</sup>, 2012.

LENDER

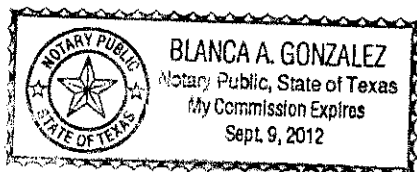
TEXAS CAPITAL BANK

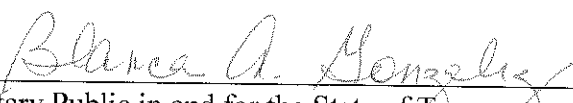
By:   
Carolynn Alexander, SVP

AS PER ORIGINAL

STATE OF TEXAS       §  
                                     §  
COUNTY OF HARRIS   §

On May 8, 2012, before me, personally appeared Carolynn Alexander  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person  
whose name is subscribed to the within instrument and acknowledged to me that he executed the  
same.



  
Notary Public in and for the State of Texas

RETURNED AT COUNTER TO:

JIM GROVER

1600 HWY 6 SOUTH, STE 130

SUGAR LAND, TX 77478

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2012 May 16 01:51 PM

LJ \$23.00

2012051975

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS