

First 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

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

THIS FIRST AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS THE BIOCORRIDOR DISTRICT ("Amendment") is made this 23rd day of May, 2013, by BRYAN/TRADITIONS, LP, a Texas limited partnership ("Declarant").

WITNESSETH:

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 now or in the future, the "Declaration");

WHEREAS, all capitalized terms used herein that are not otherwise defined shall have the meaning given those words in the Declaration;

WHEREAS, the Declaration identifies and defines the Initial Property and the Additional Property;

WHEREAS, Declarant desires to provide additional property descriptions for the four tracts comprising the Additional Property identified on Exhibit B of the Declaration in order to clarify the identification of such portion of the Additional Property;

WHEREAS, this Amendment does not modify the Additional Property identified on Exhibit C or Exhibit D of the Declaration;

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

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.** Schedule B of the Declaration, which identifies a portion of the Additional Property is amended and restated as set forth herein in the attached Exhibit 1 in order to more precisely identify such portion of the Additional Property.
2. **No Other Changes.** Except as amended herein, the Declaration remains in full force and effect.

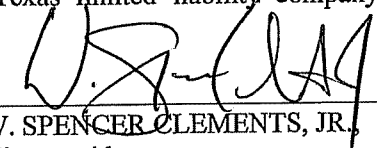
[Signature Page Follows]

IN WITNESS WHEREOF, duly authorized officers of the undersigned Declarant have executed this Declaration under seal, this 23rd day of May, 2013.

DECLARANT:

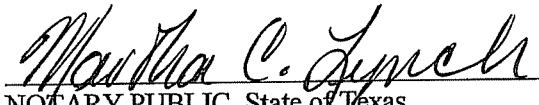
BRYAN/TRADITIONS, LP, a Texas limited partnership

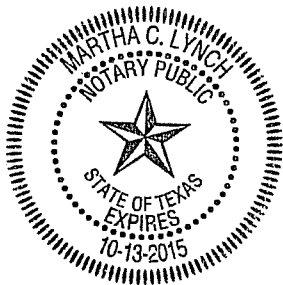
By: TRADITIONS ACQUISITION PARTNERSHIP GP, LLC, a Texas limited liability company, its General Partner

By: 
W. SPENCER CLEMENTS, JR.
Vice President

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 23rd day of May, 2013, 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

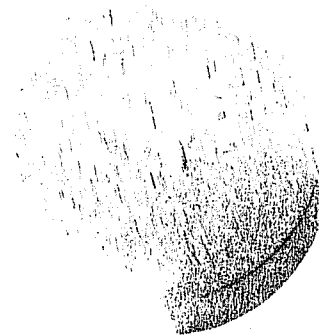
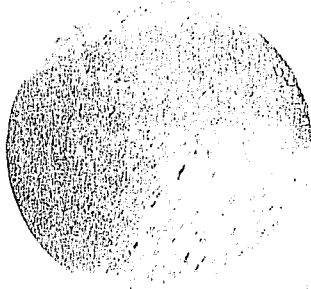
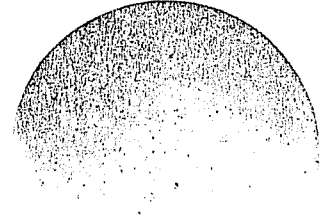


After Recording Return To:

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

EXHIBIT 1

Replacement Exhibit B



Tract A

BEING a tract or parcel of land situated in Brazos County, Texas and being more particularly described as follows:

BEGINNING at a point lying on the southwest right-of-way line of Turkey Creek Road, same being a point in the city limits line of Bryan, Texas: said point being the most northerly corner of a 148 acre tract now or formally owned by the Bryan Commerce & Development, Inc.;

THENCE along the southwest right-a-way line of Turkey Creek Road for a distance of 405 feet, more or less, to a point for corner, said point marking the most northerly corner of a 11.6 acre tract of land now or formally owned by Sidney and Janet Loveless; said point also marking an exterior corner of the said 148.0 acre Bryan Commerce & Development, Inc. tract;

THENCE in a southward direction, along the northwest line of the aforementioned 11.6 acre Loveless tract for a distance of 704 feet, more or less, to a point, said point marking the west corner of the said 11.6 acre Loveless tract; said point also marking an interior corner of the said 148.0 acre Bryan Commerce & Development, Inc. tract;

THENCE in a southeasterly direction along the southwest line of the said 11.6 acre Loveless tract, the southwest line of a 7.02 acre tract of land now or formerly owned by M.L. Cashion, Ind. Exec, the southwest line of a 4.57 acre tract of land now or formally owned by Frank and Phyllis Palasota, and the southwest line of a 5 acre tract of land now or formally owned by Anita A. Bailor for a distance of 1,898 feet, more or less, to a point, said point marking the southeast corner of the said 5 acre Bailor tract; said point also marking an exterior corner of the said 148.0 acre Bryan Commerce & Development, Inc. tract;

THENCE in a southwesterly direction along the northwest line of a 3.15 acre tract of land now or formally owned by Chris and Margret Dailey, the northwest line of a 2 acre tract of land now or formally owned by Joanne W. Bell, the northwest line of a 1.53 acre tract of land now or formally owned by David Ohendalski, the northwest line of a 4.45 acre tract of land now or formally owned by Kappa Sigma- Mu Gamma Chapter, Inc. the northwest line of a 5.127 acre tract of land now or formally owned by Shih-Chien Lin for a distance of 1633 feet, more or less, to a point, said point marking the east corner of a 4 acre tract of land now or formally owned by William and Lula Meads; said point also making an exterior corner of the said 148.0 acre of Bryan Commerce & Development, Inc. tract;

THENCE in a northwesterly direction along the northeast line of the said 4 acre Meads tract for a distance of 207.94 feet, more or less, to a point, said point marking the north corner of the said Meads tract; said point also marking an interior corner of the said 148.0 acre Bryan Commerce & Development, Inc. tract;

THENCE in a southwesterly direction along the northwest line of the said 4 acre Meads tract and the northwest line of a 1.86 acre tract of land now or formally owned by Karen Wilson

for a distance of 803.33 feet, more or less, to appoint, said point marking the southwest corner of the said 1.86 acre Wilson tract; said point also marking an exterior corner of the said 184.0 acre Bryan Commerce & Development, Inc. tract;

THENCE in a northwesterly direction along the northwest line of a 1.01 acre tract of land now or formally owned by Welch Storage Inc., along the northeast line of 1.01 acre tract of land now or formally owned by Scott L. Woloh and Jim G. Woloh, along the northwest line of a 5.0 acre tract of land now or formally owned by WP 47 Development, Ltd. For a distance of 638 feet, more or less, to a point, said point marking the north corner of the said 5.0 acre WP 47 Development tract; said point also marking an interior corner of the said 148.0 acre Bryan Commerce & Development, Inc. tract;

THENCE in a southwesterly direction along the northwest line of the said 5.0 acre WP 47 Development tract for a distance of 625 feet, more or less, to a point, said point marking the west corner of the said 5.0 acre WP 47 Development tract; said point also marking an exterior corner of the said 148.0 acre Bryan Commerce & Development, Inc. tract;

THENCE in a northwesterly direction along the northeast line of a 20.54 acre tract of land now or formally owned by Camwest Traditions, L.P., for a distance of 1226 feet, more or less to a point, said point lying on the current community city limits line of Bryan, Texas and College Station, Texas; said point also marking the northeast corner of the said 20.54 acre Camwest Traditions tract;

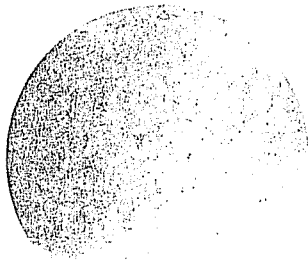
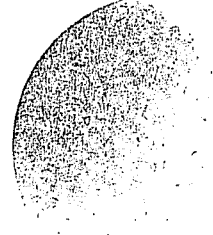
THENCE in a northeasterly direction, along the said common city limits of Bryan, Texas and College Station, Texas, for a distance of 2,273 feet more or less, to a point, said point lying on the current common city limit line of Bryan, Texas and College Station Texas; said point also lying within the right-of-way of HSC Parkway;

THENCE in a southeasterly direction, leaving the said common city limits line of Bryan, Texas and College Station, Texas, passing through the right-of-way of HSC Parkway for a distance of 18 feet, more or less, to a point; said point lying on the southeast right-of-way of the said HSC Parkway; said point being an interior corner of the said 148.0 acre Bryan Commerce & Development, Inc. tract;

THENCE in a northeasterly direction along the said southeast right-of-way of the said HSC Parkway, same being the northwest line of the said 148.0 acre Bryan Commerce & Development, Inc. tract, for a distance of 61 feet, more or less, to a point; said point lying on the said southeast right-of-way of the said HSC Parkway; said point also lying on the said northwest line of the said 148.0 acre Bryan Commerce & Development, Inc. tract; said point also lying on the current common city limits of Bryan, Texas and College station, Texas;

THENCE continuing in a northeasterly direction, leaving the said southeast right-of-way of the said HSC parkway, continuing along the said northwest line of the said 148.0 acre Bryan Commerce & Development, Inc. tract and the said current common city limits line of

Bryan, Texas and College Station, Texas for a distance of 1,839 feet, more or less to the **Point of Beginning**, containing 147 acres of land more or less.



Tract B

BEING a tract or parcel of land situated in Brazos County, Texas, and being more particularly described as follows:

BEGINNING at a point lying on the northeast right-of-way line of SH 47; said point being the most westerly corner of a 31.85 acre tract now or formerly owned by the Bryan Commerce & Development, Inc.; said point also being the most southerly corner of a 154 acre tract now or formerly owned by the Texas A&M University System;

THENCE in a northeasterly direction, leaving the said northeast right-of-way line of State Highway 47, along the northwest line of the said 31.85 acre Bryan Commerce & Development tract, continuing along the northwest line of a 1.93 acre tract now or formerly owned by the Bryan Commerce & Development, Inc., for a distance of 1,410 feet, more or less, to a point; said point being the northeast corner of the said 1.93 acre Bryan Commerce and Development tract; said point also being the northwest corner of a 21.4 acre tract now or formerly owned by the Texas A&M University System;

THENCE in a southeasterly direction along the common boundary line of the said 1.93 acre Bryan Commerce & Development tract and the 21.4 acre Texas A&M tract, for a distance of 982 feet, more or less, to a point;

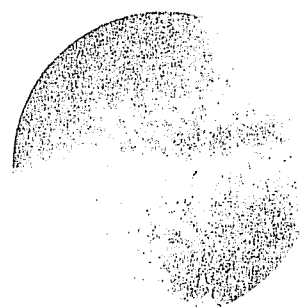
THENCE continuing in a southeasterly direction, along the common boundary line of the said 1.93 acre Bryan Commerce & Development tract and the said 21.4 acre Texas A&M tract, for a distance of 356 feet, more or less, to a point; said point lying on the common boundary line between the said 21.4 acre Texas A&M tract and the said 148.0 acre Bryan Commerce and Development, Inc. tract; said point also lying on the said current common city limits line of Bryan, Texas and College Station, Texas;

THENCE in a southwesterly direction along the said common city limits line of Bryan, Texas and College Station, Texas, same being the northwest line of the said 148.0 acre Bryan Commerce and Development, Inc. tract, for a distance of 1,288 feet more or less to a point, said point lying on the current common city limits line of Bryan, Texas and College Station, Texas; said point also marking the northwest corner of a 20.54 acre tract now or formerly owned by Camwest Traditions, L.P.;

THENCE in a southeasterly direction, continuing along the said common city limits line of Bryan, Texas and College Station, Texas, same being the southwest line of the said 20.54 acre Camwest Traditions, same being a southeast line of the said 31.85 acre Bryan Commerce & Development tract, for a distance of 298 feet more or less to a point, said point lying on the current common city limits line of Bryan, Texas and College Station, Texas; said point also marking an angle point of the said 20.54 acre Camwest Traditions tract; said point also lying on the northeast right-of-way line of State Highway 47;

THENCE in a northwesterly direction, leaving the said common city limits line, along the said northeast right-of-way line of State Highway 47, same being the southwest line of the

said 31.85 acre Bryan Commerce and Development tract, for a distance of 1,426 feet more or less to a point; to the **POINT OF BEGINNING**, containing 32 acres of land, more or less.



Tract C

BEING a tract or parcel of land situated in Brazos County, Texas, and being more particularly described as follows:

BEGINNING at a point on the southwest right-of-way line of S. Traditions Drive; said point being the most easterly corner of a 21.4 acre tract now or formerly owned by the Texas A&M University System; said point also being the most northwesterly corner of a 11.12 acre tract now or formerly owned by Bryan Commerce & Development, Inc.;

THENCE in a southeasterly direction along the said southwest right-of-way line of S. Traditions Drive for a distance of 1,370 feet, more or less, to a point; said point lying at the intersection of the said southwest right-of-way line of S. Traditions Drive and the northeast right-of-way line of HSC Parkway;

THENCE continuing in a southeasterly direction, crossing the right-of-way of HSC Parkway for a distance of 102 feet, more or less, to a point; said point lying on the current common city limits line of Bryan, Texas and College Station, Texas; said point also being an interior corner of a 148.0 acre tract now or formerly owned by Bryan Commerce and Development, Inc. tract;

THENCE in a southwesterly direction along the said common city limits line; same being the northwest line of said 148.0 acre Bryan Commerce & Development, Inc. tract, for a distance of 1,360 feet, more or less, to a point; said point lying on the said northwest line of the said 148.0 Bryan Commerce & Development, Inc. tract; said point also lying on the current common city limits line of Bryan, Texas and College Station, Texas; said point also being the southeast corner of the said 21.4 acre Texas A&M tract; said point also being the southwest corner of the said 11.12 acre Bryan Commerce & Development, INC. tract;

THENCE in a northwesterly direction leaving the said common city limits line and the northeast boundary line of the said 148.0 acre Bryan Commerce & Development, Inc. tract along the common boundary line between the said 11.12 acre Bryan Commerce & Development, Inc. tract and the said 21.4 acre Texas A&M tract for a distance of 646 feet, more or less to the **POINT OF BEGINNING**, containing 12 acres of land more or less.

Tract D

BEING a tract or parcel of land situated in Brazos County, Texas, and being more particularly described as follows:

BEGINNING at a point lying on the southwest right-of-way line of Turkey Creek Road, same being a point in the city limits line of Bryan, Texas; said point also being the most northerly corner of 148 acre tract now or formerly owned by Bryan Commerce & Development, Inc.;

THENCE in a southwesterly direction along the said current city limits line of Bryan, Texas, same being the northwesterly line the said 148 acre Bryan Commerce & Development tract for a distance of 1,839 feet, more or less, to a point; said point lying on the southeast right-of-way line of HSC Parkway; said point also lying on the said current city limits line of Bryan, Texas;

THENCE in a northeasterly direction, along the said southeast right-of-way of HSC Parkway, leaving the said current city limits line, for a distance of 2,005 feet, more or less, to the **POINT OF BEGINNING**, containing 6 acres of land more or less.

Filed for Record in:
BRAZOS COUNTY

On: Jun 26, 2013 at 04:31P

As of
NO LABEL RECORDING

Document Number: 01161003

Amount 64.00

Receipt Number - 475847

By
Kala Brummer

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.

Jun 26, 2013

Karen McQueen, Brazos County Clerk
BRAZOS COUNTY