



FIFTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
ON AND FOR
VERRADO ESTATES,
A SUBDIVISION IN LUBBOCK COUNTY, TEXAS

STATE OF TEXAS }
 }
COUNTY OF LUBBOCK } **KNOW ALL MEN BY THESE PRESENTS:**

WHEREAS, pursuant to the Declaration of Covenants, Conditions and Restrictions on an for Verrado Estates, a subdivision in Lubbock County, Texas (***"Verrado Estates"***), recorded May 19, 2008 under County Clerk File No. 2008018648, Official Public Records of Lubbock County, Texas, (the ***"Original Declaration"***), Double RM, LLC, an Arizona limited liability company (***"Original Declarant"***), subjected certain real property described in the Declaration to certain covenants, conditions and restrictions;

WHEREAS, pursuant to Article XI, Section 4(b) of the Original Declaration, Verrado Estates, LLC, a Texas limited liability company (***"VELLC"***), as successor "Declarant" to Original Declarant, amended the Original Declaration pursuant to that certain First Amendment to Declaration of Covenants, Conditions and Restrictions on and for Verrado Estate, a subdivision in Lubbock County, Texas, recorded July 12, 2010 under County File No. 2010023067, Official Public Records of Lubbock County, Texas (***"First Amendment"***);

WHEREAS, pursuant to Article XI, Section 4(b) of the Original Declaration, West Lubbock Land, LLC, a Texas limited liability company (***"West Lubbock"***), as successor "Declarant" to VELLC, amended the Original Declaration pursuant to that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions on and for Verrado Estates, a subdivision in Lubbock County, Texas, recorded June 27, 2012 under County Clerk File No. 2012025499, Official Public Records of Lubbock County, Texas (***"Second Amendment"***);

WHEREAS, pursuant to Article XI of the Declaration, West Lubbock assigned to LOOP 88, LLC, a Texas limited liability company (***"Loop 88"***), all of West Lubbock's rights, title and interest as "Declarant" in, to and under the Declaration, pursuant to that certain Assignment and Assumption of Declarant Rights by and between West Lubbock and Loop 88;

WHEREAS, pursuant to Article XI, Section 4(b) of the Original Declaration, Loop 88, as successor "Declarant" to West Lubbock, amended the Original Declaration pursuant to that certain Notice of Annexation and Third Amendment to Declaration of Covenants, Conditions and Restrictions on and for Verrado Estates, a subdivision in Lubbock County, Texas, recorded July 1, 2019 under County Clerk File No. 2019024927, Official Public Records of Lubbock County, Texas (***"Third Amendment"***);

WHEREAS, pursuant to Article XI, Section 4(b) of the Original Declaration, Loop 88 is the current "Declarant" under the Declaration and has the right to amend the Declaration for any purposes during the Development Period pursuant to that certain Fourth Amendment to Declaration of Covenants, Conditions and Restrictions on and for Verrado Estates, a subdivision in Lubbock County, Texas recorded July 18, 2019 under County Clerk File No. 2019027217, Official Public Records of Lubbock County Texas ("**Fourth Amendment**");

WHEREAS, the Original Declaration, as amended by the First Amendment, the Second Amendment, the Third Amendment and the Fourth Amendment is referred to hereinafter as the "**Declaration**";

WHEREAS, Verrado Estates is still in the Development Period and Declarant now desires to amend the Declaration as otherwise set forth in this Fifth Amendment to Declaration of Covenants, Conditions and Restrictions on and for Verrado Estates, a subdivision in Lubbock County, Texas (this "**Amendment**").

NOW, THEREFORE, in consideration of the premises and pursuant to Declarant's rights set forth in the Declaration, Declarant hereby declares as follows:

Declarant desires to add additional property (the "Additional Property") as described on **Exhibit "A"** to this Fifth Amendment (being Lots 104-114, inclusive, VERRADO ESTATES, an Addition to Lubbock County, Texas).; and, Declarant desires that the Additional Property described on **Exhibit "A"** to this Fifth Amendment shall be added to the scheme of the Declaration, subject to the modifications and amendments as contained within this Fifth Amendment pertaining to said Additional Property.

In accordance with Article IX, Section 2 of the Declaration, the air conditioned floor area of the Dwelling Unit located on each Lot (exclusive of porches, garages or breezeways) shall have the minimum of square footage as set forth on **Exhibit "B"**.

The Declaration of Covenants Conditions and Restrictions on and for Verrado Estates, a subdivision in Lubbock County, Texas previously imposed and herein described are not amended, changed, modified or altered in any way other than as specifically and expressly set out herein.

IN WITNESS WHEREOF, Declarant and the other parties have executed this Amendment to be effective as of February 23, 2021 (the "**Effective Date**").

DECLARANT:

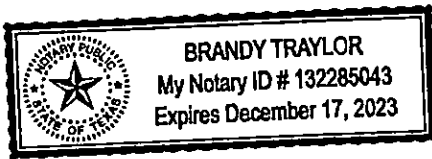
LOOP 88, LLC,
a Texas limited liability company



Thomas K. Payne, Manager

STATE OF TEXAS {}
COUNTY OF LUBBOCK {}

This instrument was acknowledged before me this 23rd day of February, 2021, by Thomas K. Payne, the manager of Loop 88, LLC, a Texas limited liability company, on behalf of said limited liability company.



Brandy Traylor
Notary Public - State of Texas

EXHIBIT "A"
THE "ADDITIONAL PROPERTY"

Lots 104 through 114, inclusive, VERRADO ESTATES, an Addition to Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof recorded in County Clerk File No. 2021006725, of the Official Public Records of Lubbock County, Texas.

LOTS 104-114, **VERRADO ESTATES** A SUBDIVISION LOCATED IN SECTION 7, BLOCK D-8, LUBBOCK COUNTY, TEXAS

GENERAL NOTES

1. The lots shown on this plat are for the purpose of subdividing the land shown on the plat into lots for the purpose of selling the same. The lots are shown on the plat as being of the same area, but the actual area of each lot shall be determined by a survey of the same by a licensed surveyor. The surveyor shall determine the area of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas.

ADDITIONAL NOTES

1. The lots shown on this plat are for the purpose of subdividing the land shown on the plat into lots for the purpose of selling the same. The lots are shown on the plat as being of the same area, but the actual area of each lot shall be determined by a survey of the same by a licensed surveyor. The surveyor shall determine the area of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas.

EXISTING EASEMENTS NOT SHOWN

The plat shows all easements shown on the plat as being of the same area, but the actual area of each lot shall be determined by a survey of the same by a licensed surveyor. The surveyor shall determine the area of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas.

SURVEY CONTROL

The plat shows all easements shown on the plat as being of the same area, but the actual area of each lot shall be determined by a survey of the same by a licensed surveyor. The surveyor shall determine the area of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas.

The plat shows all easements shown on the plat as being of the same area, but the actual area of each lot shall be determined by a survey of the same by a licensed surveyor. The surveyor shall determine the area of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas. The surveyor shall also determine the location of each lot and shall certify the same to the County Clerk of Lubbock County, Texas.



Subscribed and sworn to before me on this 1st day of January, 2011, at Lubbock, Texas.

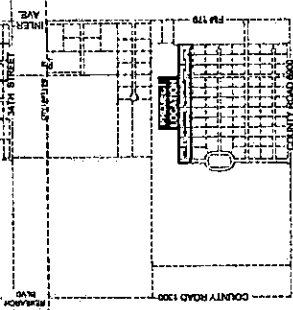
 Notary Public
 State of Texas

 David L. Huggins
 Surveyor
 State of Texas

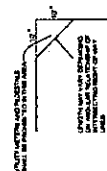
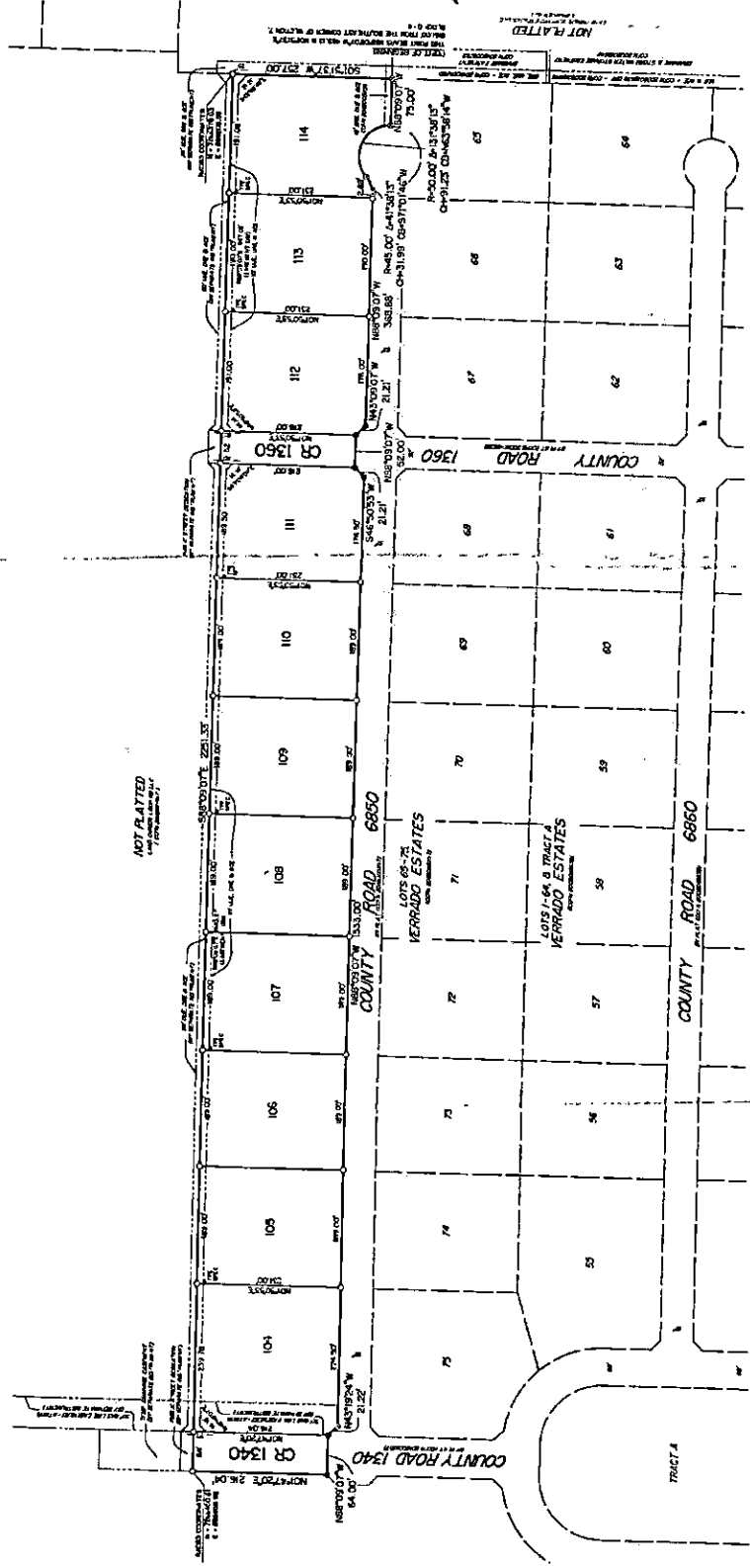
 David L. Huggins
 Surveyor
 State of Texas

 David L. Huggins
 Surveyor
 State of Texas

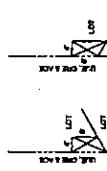
 David L. Huggins
 Surveyor
 State of Texas



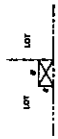
1717.02
 2021006725



TYPICAL ALLEY STREET OR ALLEY-ALLEY
 INTERSECTION WHERE
 CORNER IS CHAMFERED



TYPICAL TRANSFORMER PAD EASEMENTS AT
 IRREGULAR LOT CORNERS



TYPICAL TRANSFORMER PAD EASEMENT

EXHIBIT "B"
MINIMUM SQUARE FOOTAGE REQUIREMENTS

<u>LOTS</u>	<u>MINIMUM SQUARE FOOTAGE GROUND FLOOR</u>	<u>MINIMUM SQUARE FOOTAGE TOTAL</u>
104 - 114 (Single Story)	3,500 SF	3,500 SF
104 - 114 (Two Story)	2,500 SF	3,500 SF

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion

Kelly Pinion, County Clerk
Lubbock County, TEXAS
02/23/2021 12:52 PM
FEE: \$46.00
2021008412