

THIRD SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS SEDONA ADDITION

THIS THIRD SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS SEDONA ADDITION (this "First Supplement") is made and entered into by ESCONDIDO LUBBOCK, LLC, a Texas limited liability company (the "Declarant" or "Developer").

RECITALS:

- A. Declarant executed and recorded that certain Declaration of Covenants, Conditions and Restrictions Sedona Addition, recorded as Document No. 2020040799, of the Official Public Records of Lubbock County, Texas (as amended and supplemented, the "Declaration"), which affects that certain real property described therein (the "Original Property").
- B. Pursuant to the terms of the Declaration, Declarant desires to supplement and amend the terms of the Declaration by adding additional property owned by Declarant to be covered by the terms and conditions of the Declaration and amend certain other terms of the Declaration.

SUPPLEMENT:

NOW, THEREFORE, Declarant pursuant to its authority contained in the Declaration, hereby supplements and amends the Declaration as follows:

- 1. <u>Defined Terms</u>. All terms used herein and not defined herein shall have the same definition herein as in the Declaration.
- 2. <u>Additional Property</u>. Declarant is the owner of all of that certain real property located in Lubbock County, Texas, described as follows (the "<u>Additional Property</u>"):

All of Lots 65-118 and Tracts "M" thru "O", Sedona Addition, an Addition to the City of Lubbock, Lubbock County, Texas, being more fully described on a plat filed on or about the Lot day of APPL , 2024 as Instrument No. 2024 o15455, in the Official Public Records of Lubbock County, Texas, to which reference is hereby made for all purposes.

It is hereby declared that all of the Additional Property shall be held, sold and conveyed, subject to the easements, restrictions, covenants and conditions contained in the Declaration, as amended hereby, which are for the purpose of protecting the value and desirability of, and which shall run with the above described real property, and shall be binding on all parties having any right, title or interest in or to the above described properties or any part thereof, their heirs, successors, and assigns, and which easements, restrictions, covenants, and conditions shall inure to the benefit of each owner thereof. All references to the term "lots" shall include Lots 65 through 118 at Sedona. The term "Common Area" shall include Tracts M thru O at Sedona.

- 3. <u>Size Restrictions</u>. Notwithstanding anything to the contrary contained in the Declaration, houses constructed on lots 66 thru 72 and 111 thru 118 shall contain at least 2,500 square feet of floor space, houses constructed on lots 65 and 93 thru 110 shall contain at least 2,700 square feet of floor space, and houses constructed on lots 73 thru 92 (collectively, the "<u>Chateau Lots</u>") shall contain at least 3,000square feet of floor space, all such lots exclusive of garage, open or screened porch, storage rooms, basement and other space not equipped with heating and cooling.
- 4. <u>Chateau Lots</u>. Notwithstanding anything to the contrary contained in the Declaration, garden style homes shall be constructed on the Chateau Lots. Each Chateau Lot shall have a zero lot line on the west lot line. All architectural plans must be reviewed and approved by Declarant prior to commencement of construction. Failure to submit plans prior to construction may result in builder having to correct construction not approved by Declarant, at builder's sole cost and expense. The Chateau Lots are also subject to a comprehensive landscaping plan, a copy of which is attached hereto as Exhibit "A" (the "Chateau Landscape Plan"), and all landscaping must be reviewed and approved by Declarant prior to any landscaping being installed on the Chateau Lot. Failure to obtain Declarant approval may result in builder having to change the landscape, at builder's sole cost and expense. Declarant reserves the right to modify the Chateau Landscape Plan at anytime so long as Declarant still owns lots in the subdivision.
- 5. <u>Membership in Association</u>. Pursuant to the Declaration, as supplemented by this Third Supplement, every owner of each lot included in the Additional Property is a member of the Association. Membership is appurtenant to and may not be separated from ownership of a lot or tract. Each member shall be entitled to one (1) vote in the Association for each lot or tract owner. When more than one person or entity holds an interest in any lot or tract, all such persons and entities shall be considered as one member. The vote for such lot or tract shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any lot. The Additional Property shall be subject to payment of assessments pursuant to the terms of the Declaration.
- 6. <u>Enforcement</u>. Declarant may enforce performance of all covenants and conditions contained in the Declaration on the Additional Property, and to demand and receive any and all documents covenanted to be given in the Declaration in the same manner and with the same effect as if the Additional Property had originally been included in the Declaration.
- 7. <u>Choice of Law.</u> This Assignment will be governed by, construed, and interpreted in accordance with the substantive laws of the State of Texas.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK
SIGNATURE PAGE FOLLOWS

EXECUTED AND	EFFECTIVE this 23eP day of _	May , 2024.
	By: Name: Title:	ACK STRONG III
STATE OF TEXAS COUNTY OF LUBBOCK On this 23 ^{rg} day and for said state, personal said limited liability company	of Sedona Lubbock, LLC, a	2024, before me, a Notary Public in Type
[NOTARY STAMP] DUSTI LYNN CARTER Notary ID #10690157		uti Curtur ublic, State of Texas

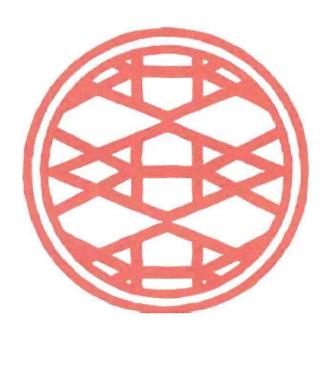
After Recording, Return to:

Sedona Lubbock, LLC 8213 Alcove Ave Lubbock, Texas 79424

EXHIBIT "A"

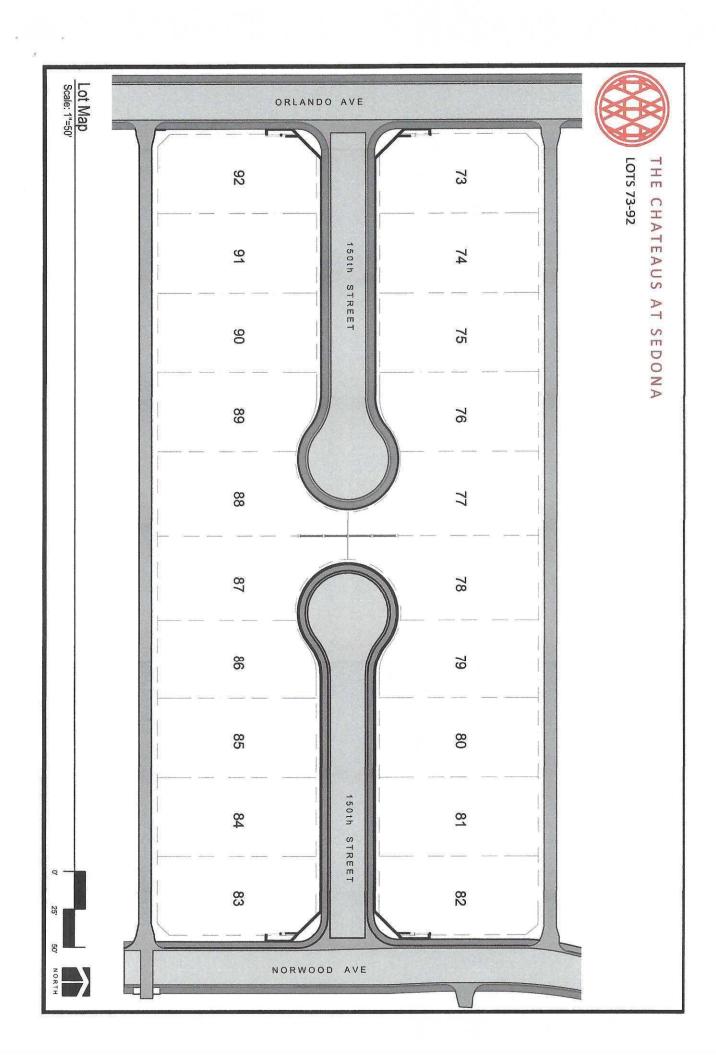
Chateau Landscape Plan

SEE ATTACHED



LANDSCAPE DESIGN GUIDELINES

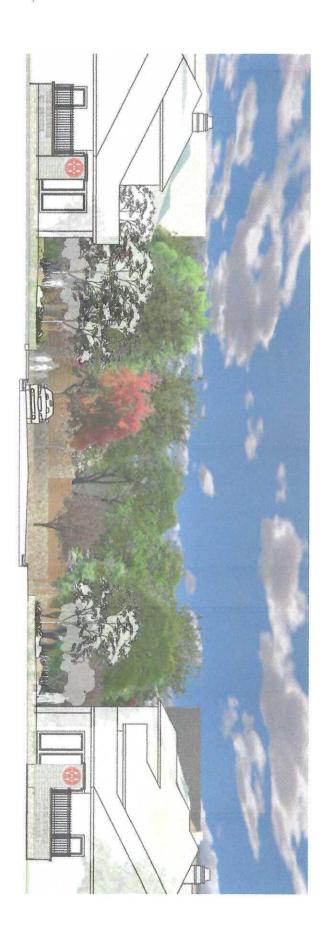
The Chateaus at Sedona





Vision Statement

guidelines. to a common streetscape that sets this community apart. Those common outdoor elements are outlined in these landscape design certainly feature completely different floor plans, design features and materials, several elements in the outdoor environment will contribute The Chateaus at Sedona is envisioned as a unique enclave of custom homes within the development of Sedona. While each home will



The Chateaus at Sedona

Landscape Design Guidelines

Purpose

landscape elements that will result in a cohesive streetscape and high quality outdoor environment at The Chateaus at Sedona These guidelines are set forth with the intent to provide guidance to homeowners and builders in the selection of materials and development of

the front yard is the area between the side of the house facing 150th Street and the masonry wall/sidewalk adjacent to the street. The following criteria outline the minimum standards for site development in the front yard area of lots 73-92. For purposes of this document,

Front Yard Elements

Masonry garden walls

- streetscape. Description: Each residence shall have a low retaining wall located at back of sidewalk forming a nearly continuous wall along the
- b. Materials: Masonry (brick or stone) or masonry veneers on concrete c.i.p. or cmu
- Size: 12" minimum ht. above curb / 24" maximum ht. for walls, 30" maximum ht. for columns

Fencing

- columns at the corners. Description: All fencing facing the street shall be solid masonry, located behind the leading face of the residence & have masonry
- 0 Materials: Solid Masonry (brick or stone) or jointed masonry veneers on concrete c.i.p. or cmu
- Size: 7' ht. standard. No fence facing the street shall be higher than the typical first-floor window lintel

Exterior Gates

Description: Each residence with a street-facing fence shall have one (1) gate opening into a side yard

Exterior Gates (cont'd)

- Materials: Gates material shall be steel in either an opaque or transparent fabrication with locking hardware
- Size: Gates shall have a minimum clear opening width of 36"; 6' w. maximum for double gates. Gates shall be no higher than fencing.

Required Landscape Area

- Description: A minimum of 75% of the front yard area shall be permanently landscaped and maintained
- ō Materials: Materials include various cominations of trees, live plants, and/or inert materials.
- Size: A minimum of 30% of the front yard shall consist of live plants. A maximum of 30% of the front yard area can be live turfgrass. maximum of 15% of the front yard area can be inert materials.

Trees

- a plant list) Description: Each residential front yard shall have a minimum of four (4) trees, including at least two (2) canopy-type shade trees (see
- 0 Materials: Trees shall be either container-grown or B&B (balled and burlapped) and shall meet the minimum requirements outlined in The American Standard for Nursery Stock
- 5 Size: Single trunk shade trees shall have a minimum 4-inch caliper; multi-trunk shade trees shall be a minimum 7-inch caliper. Single minimum of 7 ft. ht. trunk flowering trees shall have a minimum 3-inch caliper, 5-inch for multi-trunk flowering trees. Evergreen coniferous trees shall be a

Live Plants (minimum 30% of Front Yard)

- Description: Live plantings including shrubs, ornamental grasses, perennials, ground cover, or natural turf grass are required for the front yard of each residence
- 0 Materials: All live plantings shall be container-grown material, mulched with 3" thick layer of an organic (wood/compost) or inert (gravel) mulch material. Live turfgrass shall be sod-grown material installed to provide full coverage of the intended area
- Size: Minimum container size:

5

- . Shrubs #3 gallon
- Ornamental grasses #1 gallor
- ii. Perennials Quart-sized pot
- Ground cover flat container

Inert Materials

0

- these guidelines. Description: Inert materials may be used in the front yard of residences to help meet the requirements for landscaped area set forth in
- Materials: Inert materials may consist of natural, non-organic material including crushed/washed gravel mulch, smooth river cobble, and boulders. Artificial turf is also allowed to be used as an inert material. No fines or organic debris shall be included in the inert material.
- Gravel Mulch shall be crushed granite or basalt.
- River Cobble shall be smooth, round granite, limestone, or quartz
- Artificial Turf see next section
- Size: No more than 15% of the front yard area shall be covered with inert materials. Specific sizes include: Gravel mulch: 3/8 1-1/2 inch diameter; river cobble: 3"-8" diameter

Artificial Turfgrass

- Description: Artificial turfgrass, aka synthetic turfgrass may be utilized as inert (non-organic/non-living) material in the front yard area to meet the requirement for landscaped area.
- 0 and weighed down with a ballast of silica sand Materials: Synthetic turf made from monofilament polyethylene with thatch yarn and is installed over a compacted gravel base course
- Size: A maximum of 15% of the front yard area can be covered with artificial turfgrass. High quality synthetic turf will have a minimum face weight of 75 oz. / sq. yard, a pile height of 1.75 inches and total weight of more than 100 oz. per square yard

Irrigation

- Description: All required landscaped areas shall have full coverage by a permanent irrigation system, that meet the minimum design and installation requirements of the State of Texas.
- Ö Materials: All live trees and plantings shall be permanently irrigated with drip, bubbler or other means to provide soil moisture to the root zone of plants. Turf areas shall be irrigated with sub-surface drip or spray heads
- : Size: (reserved)

Hardscape Materials

Description: Hardscape materials include enhanced paving and other exterior surfaces utilized for walkways, patios and outdoor living

Hardscape Materials (cont'd)

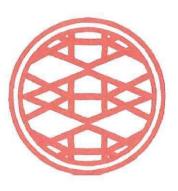
- Materials: Hardscape materials shall include patterned, textured and/or colored concrete, unit pavers, natural stone, and/or porcelain
- Size: A maximum of 25% of the front yard area can be hardscape materials including a walking path to the front door of the home.

Outdoor Lighting

- Description: Outdoor lighting can consist of area light poles, bollards, path lights, sconces, step lights, spot and wall flood lights.
- 0 visible from any other property. Materials: Luminaries that emit more than 1000 lumens shall be fully shielded shall be fully shielded so that the light source shall not be
- Size: Warm-colored LED lighted luminaries rated below 3000 Kelvins are encouraged for better nighttime visibility.

Site Furnishings

- Description: Outdoor furnishings consisting of benches, chairs, tables, and other elements that are utilized in outdoor living areas.
- Materials: Site furnishings made from powder coated steel, teak wood, or composite lumber materials are encouraged.
- c. Size: N/A



SAMPLE LANDSCAPE PLANS

The Chateaus at Sedona



LANDSCAPE DESIGN GUIDELINES

Sample Landscape Plans

Required Front Yard Landscaping Minimum 30% Live Plantings 30% Turfgrass (max.) 25% Hardscape (max.) 15% Inert Materials (max.)



Sample Landscape Plan 1
Scale: 1"=10"



LANDSCAPE DESIGN GUIDELINES

Sample Landscape Plans

30% Turfgrass (max.) 15% Inert Materials (max.) 25% Hardscape (max.) Minimum 30% Live Plantings **Required Front Yard Landscaping**



Sample Landscape Plan 2

Scale: 1"=10"

















Canopy Tree





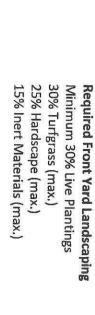


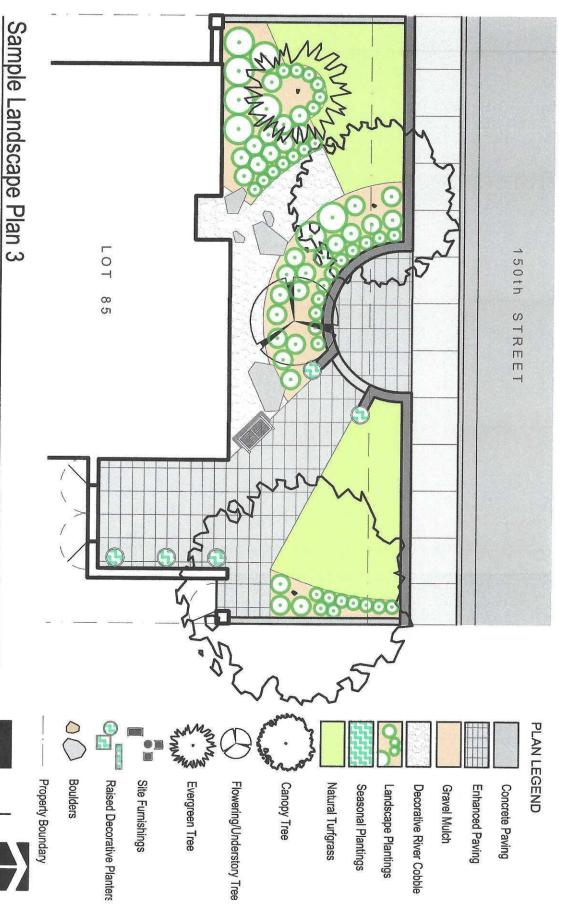




LANDSCAPE DESIGN GUIDELINES

Sample Landscape Plans





Scale: 1"=10"



LANDSCAPE DESIGN GUIDELINES

Sample Landscape Plans

Required Front Yard Landscaping Minimum 30% Live Plantings 30% Turfgrass (max.) 25% Hardscape (max.) 15% Inert Materials (max.)



Illustration 01 - Sample Plan 1



LANDSCAPE DESIGN GUIDELINES

Sample Landscape Plans

Required Front Yard Landscaping Minimum 30% Live Plantings 30% Turfgrass (max.) 25% Hardscape (max.) 15% Inert Materials (max.)

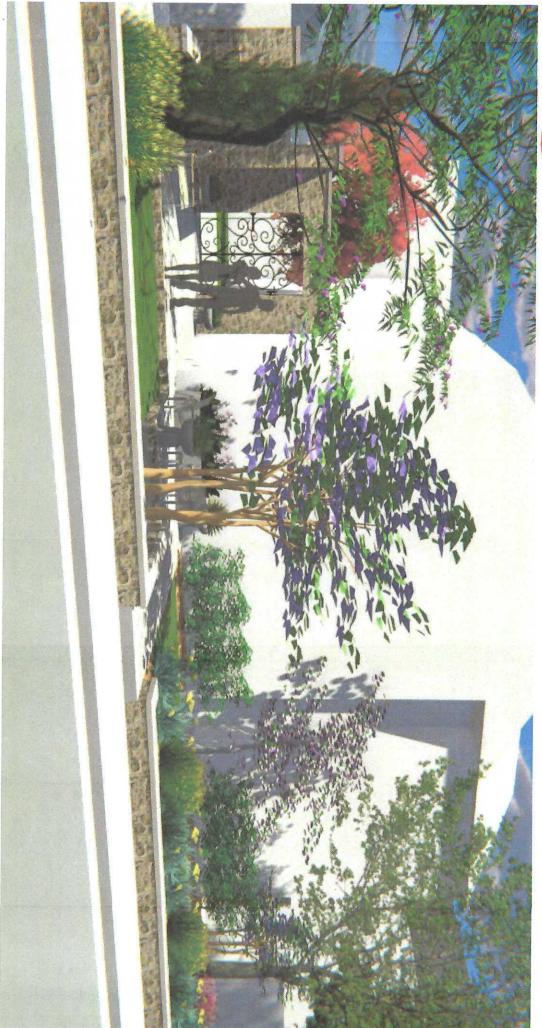


Illustration 02 - Sample Plan 1



LANDSCAPE DESIGN GUIDELINES

Sample Landscape Plans

Required Front Yard Landscaping Minimum 30% Live Plantings 30% Turfgrass (max.) 25% Hardscape (max.) 15% Inert Materials (max.)



Illustration 03 - Sample Plan 1



LANDSCAPE DESIGN GUIDELINES

Sample Landscape Plans

Minimum 30% Live Plantings 30% Turfgrass (max.) 25% Hardscape (max.) 15% Inert Materials (max.)

Required Front Yard Landscaping

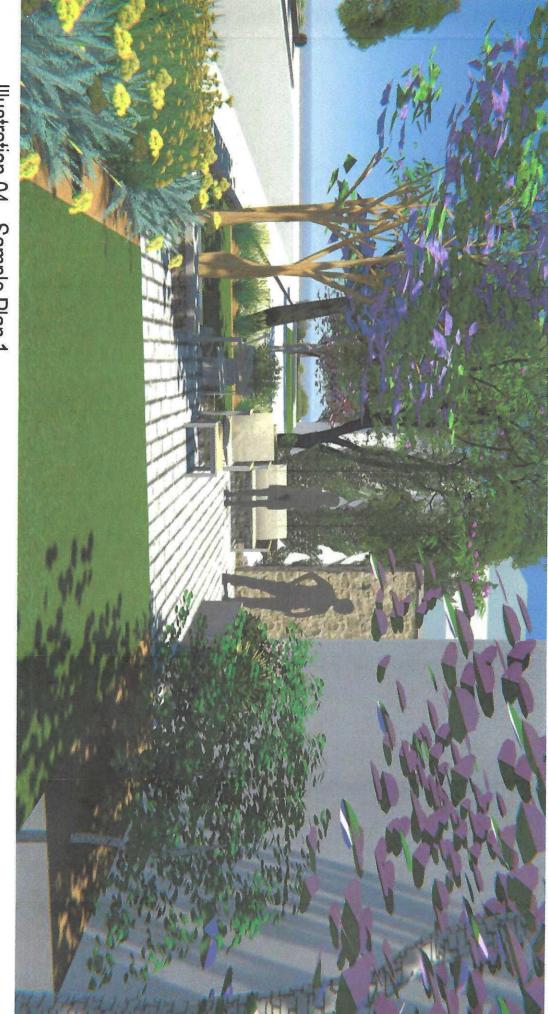
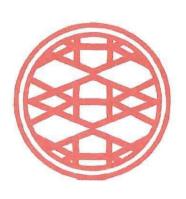


Illustration 04 - Sample Plan 1



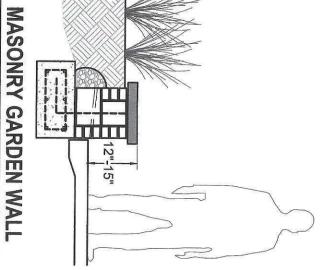
LANDSCAPE ELEMENTS & MATERIALS

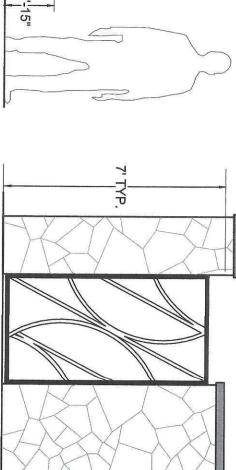
The Chateaus at Sedona



LANDSCAPE DESIGN GUIDELINES

Landscape Elements & Materials





MASONRY FENCE WITH GATE

NOT TO SCALE

NOT TO SCALE



LANDSCAPE DESIGN GUIDELINES

Landscape Elements & Materials

OUTDOOR LIGHTING



Bollards

SITE FURNISHINGS



Path Lights



In-wall Step Lights



LED Tread Lights



Benches, Tabes



Art



Planters



LANDSCAPE DESIGN GUIDELINES

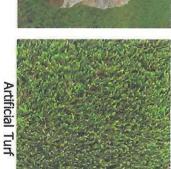
Landscape Elements & Materials

INERT MATERIALS









Gravel Mulch

River Cobble





Drip Irrigation



Smart Controller w/ rain/freeze sensor

HARDSCAPE MATERIALS

Water-conserving Spray Nozzles



Outdoor Tile



Specialty Concrete Finish



Clay Brick Pavers



Flagstone Paving



RECOMMENDED PLANT LIST

The Chateaus at Sedona

Live Plants

Vines & Groundcovers

Frog-Fruit — Phyla nodiflora Hall's Honeysuckle - Lonicera japonica 'Halliana' Lady Banks Rose — Rosa banksiae Lamb's ear — Stachys byzantine Primrose - Oenothera berlandieri Purple Heart — Tradescantia pallida frutescens

Flowering Perennials

Gayfeather – Liatris punctata Gregg's Salvia – Salvia greggii Gopher Plant - Euphorbia rigida Germander - Teucrium chamaedrys Gaura - Gaura lindheimeri 'Pink Cloud' Gaillardia – Gaillardia pinnatifida Garden Sage – Salvia officinalis Frikarti Aster – Aster frikartii Flame Acanthus – Aniscanthus quadrifidus Fall Aster – Aster frikartii 'Monch' Engelmann's Daisy – Engelmannia peristenia Dotted gayfeather – Liatris punctata Butterfly Bush — Buddleja davidii Black Foot Daisy — Melampodium leucanthum casle' Autumn Sage – Salvia greggii Dwarf Mexican Petunia – Ruellia brittoniana 'Katie' Daylily — Hemerocallis sp. Chamisa – Chrysothamnus nauseosus Century Plant – Agave Americana Black-eyed Susan – Rudbeckia hirta Artemisia 'Powis Castle' – Artemisia x. 'powis Agastache – Agastache rupestris

Purple Winter Creeper – Euonymus coloratus
Trumpet Creeper 'Flava' – Campsis radicans
Virginia Creeper – Parthenocissus quinquefolia
Wild Grapes – Vitis sp.
Winecup – Callirhoe involucrate
Wisteria – Wisteria frutescens

Sedum 'Autumn Joy' - Sedum var. 'autumn joy' Salvia – Salvia sp. Russian Sage – Perovskia atriplicifolia Rock Penstemon - Penstemon baccharifolius Purple Heart - Tradescantia pallida Plains Zinnia – Zinnia grandiflora Plains Coreopsis - Coreopsis tinctoria Huisache Daisy – Amblyolepis setigera Turk's Cap – Malvaviscus arboreus Texas Lantana – Lantana Urticoides Purple Horsemint — Monarda citriodora Prairie Verbena – Glandularia bipinnatifida Orange Globe Mallow - Sphaeralcea munroana Oregano – Origanum vulgare Mexican Hat – Ratibida columnifera Mealy Blue Sage – Salvia farinacea May Knight Salvia - Salvia nemorosa Guara/Whirling Butterflies – Guara lindheimeri 'Moonshine' Yarrow – Achillea var. 'moonshine' Indian Blanket – Gaillardia pulchella

Ornamental Grasses

Blue Grama — Bouteloua gracilis
Deer Grass/Muhly — Muhlenbergia rigens
Foerster's Feather Reed Grass — Calamagrostis x acutiflora
Giant Sacaton — Sporobolus wrighti
Gulf Muhly — Muhlenbergia capillaris
Hameln Fountain Grass — Pennisetum alopecuroides
Switchgrass — Panicum virgatum
Indiangrass — sorghastrum nutans
Inland Sea Oats — Chasmanthium latifolium
Lindheminer's Muhly — Muhlenbergia lindheimeri

Shrubs

Germander – Teucrium chamaedrys Fragrant Sumac – Rhus aromatic Flowering Quince – Chaenomeles speciosa Elaeagnus – Elaegnus pungens 'fruitlandi' Coralberry - Symphoricarpos orbiculatus Big Sagebrush – Artemisia tridentate Banana Yucca - Yucca baccata Glossy Abelia – Abelia grandiflora Dwarf Yaupon – Ilex vomitoria 'Nana' Chamisa - Ericameria nauseosa Century Plant - Agave neomexicana Artemisia 'Powis Castle' – Artemisia x 'Powis Castle' Apache Plume - Fallugia paradoxa American Beautyberry – Callicarpa Americana Althea/Rose of Sharon – Hibiscus syriacus Agarita – Berberis trifoliolata / Mahonia trifoliolata Abelia – Abelia x grandiflora

Little Blue Stem — Schizachyrium scoparium Maiden Grass — Miscanthus sinensis Mexican Feather Grass — Nassella tenuissima Purple Lovegrass — Eragrostis spectabilis Purple Muhly Grass — Muhlenbergia capillaris Seep Muhly - Muhlenbergia reverchonii Side-Oats Grama — Bouteloua curtipendula Switchgrass - Panicum virgatum 'Shenandoah'

Spineless Prickly Pear - Opuntia sp. Soft Leaf Yucca – Yucca recurvifolia Skunk Bush – Rhus aromatic trilobata Grey Santolina - Santolina chamaecyperissus Red Yucca – Hesperaloe parvifolia Rosemary – Rosmarinus officinalis 'Arp' Pale Leaf Yucca – Yucca pallida Nellie Stevens Holly – *llex aquifolium x l.cornuta* Nandina – Nandina domestica Santolina – Santolina rosmarinifolius 'Morning Mist' Mexican Bird of Paradise – Caesalpinia Mexicana Lilac – Syringa Vulgaris Knock Out Rose — Rosa 'radrazz' var. 'Knockout' Gro-Low Sumac - Rhus aromatica 'gro-low' Gray-leaf Cotoneaster - Cotoneaster glaucophylla Indian Currant Coralberry – Symphoricarpos orbiculatus

Shrubs cont'd.

Sotol Desert Spoon — Dasylirion wheeleri
Spanish Broom — Spartium junceum
Tiger Tongue Thornless Cactus - Opuntia ellisiana
Turk's Cap — Malvaviscus arboreus var. drummondii
Twisted Leaf Yucca - Yucca rupicola
Yaupon Holly — Ilex vomitoria
Yellow Bird of Paradise — Caesalpinia gilliesii
Youngstown Andorra Juniper — Juniperus horizontalis 'youngstown'

lurtgrass

Bermudagrass – Cynodon dactylon var. 'Celebration' Buffalograss – *Bouteloua dactyloides*

Trops

Pomegranate – Punica granatum Pinyon Pine - Pinus edulis New Mexico Privet - Forestiera neomexicana Mexican Redbud – Cercis Canadensis var. Mexicana Mexican Plum – Prunus Mexicana Mesquite – Prosopis glandulosa Gambel Oak - *Quercus gambelii* Flameleaf Sumac - Rhus lanceolata Eve's Necklace - Sophora affinis Desert Willow – Chilopsis linearis Crepe Myrtle 'Natchez' – Lagerstroemia indica 'Natchez' Chitalpa – Chitalpa tashkentensis Althea 'Rose of Sharon' – Hibiscus syriacus Small / Flowering / Understory Trees Chickasha Plum – *Prunus angustifolia* 'Natchez' Crepe Myrtle – Lagerstroemia x 'Natchez'

Possumhaw Holly — Ilex decidua
Prairie Flameleaf Sumac — Rhus lanceolata
Purple Robe Locust - Robinia pseudoacacia 'Purple Robe' Texas
Persimmon — Diospyros texana
Texas Redbud — Cercis Canadensis var. texenis
Thornless Cockspur Hawthorn — Crataegus crus-galli var. inermis
Rusty Black Haw — Viburnum rudifolium
Honey Mesquite - Prosopis glandulosa
Alligator Juniper — Juniperus deppeana
Vitex — Vitex agnus — Castus
Yaupon Holly — Ilex vomitoria
Yellow Bird of Paradise — Caesalpinia gilliesii
Chitalpa — Chitalpa tashkentensis

Canopy Type Shade Trees

Western Soapberry – Sapindus drummondi

Afghan Pine - Pinus eldarica

Arizona Cypress – Cupressus arizonica

Austrian Pine - Pinus nigra

Burr Oak – Quercus macrocarpa Cedar Elm – Ulmus crassifolia Chinese

Pistache – Pistacia chinensis

Chinkapin Oak – Quercus muelhenbergii Deodar Cedar – Cedrus deodara

Eldarica Pine – Pinus eldarica

Goldenrain Tree - Koelreuteria paniculata

Hackberry - Celtis occidentalis Italian Stone Pine - Pinus pinea Lacebark

Elm – Ulmus parvifolia Live Oak – Quercus fusiformis

Osage-Orange - Maclura pomifera Red Oak - Quercus rubra

Shumard Oak - Quercus shumardii



LANDSCAPE DESIGN GUIDELINES

Plant Materials









Texas Lantana

Sedum 'Autumn Joy











SHRUBS

Blue Grama

Sideoats Grama









Grey Santolina

Blackfoot Daisy

Silverberry



LANDSCAPE DESIGN GUIDELINES

Plant Materials

TREES



Cedar Elm



Eldarica Pine





Desert Willow





Mexican Plum









Vitex



Rose of Sharon

Flameleaf Sumac

Possumhaw Holly

Goldenrain Tree



Burr Oak



Red Oak



Chinese Pistache

FILED AND RECORDED



Kelly Pinion, County Clerk Lubbock County, TEXAS 05/23/2024 03:17 PM FEE: \$141.00 2024021056