

AFTER RECORDING RETURN TO:

ROBERT D. BURTON, ESQ.  
WINSTEAD  
401 CONGRESS AVE., SUITE 2100  
AUSTIN, TEXAS 78701  
EMAIL: RBURTON@WINSTEAD.COM



## NOTICE OF ANNEXATION TO COMMUNITY COVENANT

### THE BROWNSTONE AT THE SUMMIT Williamson County, Texas

**Declarant:** NOVAK BROTHERS TEXAS BROWNSTONES, LLC, a Texas limited liability company

Cross reference to Community Covenant – The Brownstone at the Summit, recorded under Document No. 2011041359 in the Official Public Records of Williamson County, Texas, as amended.

2013078474

**Electronically Recorded**

OFFICIAL PUBLIC RECORDS

*Nancy E. Rister*

Nancy E. Rister, County Clerk

2013 August 14 03:36 PM

FEE: \$40.00 PGS7

Williamson County Texas

NOTICE OF ANNEXATION TO COMMUNITY COVENANT  
THE BROWNSTONE AT THE SUMMIT

This Notice of Annexation to Community Covenant – The Brownstone at the Summit (the "Notice") is made and executed by NOVAK BROTHERS TX BROWNSTONES, LLC, a Texas limited liability company ("Declarant") and JAMES W. ROGERS AND JULIE A. ROGERS ("Rogers") and is as follows:

1. **Property.** Declarant is the present owner of certain real property located in Williamson County, Texas, as more particularly described on Exhibit "A" attached hereto (the "Property"), save and except Lot 2, Block B, of the Brownstone at the Summit Phase 1, a replat of Lots 4, 5, 6, and 7, Block A, The Rivery Park II, according to the map or plat recorded as Document No. 2011047622 in the Official Public Records of Williamson County, Texas. Lot 2, Block B is owned by Rogers.

2. **Authority.** Section 16.03 of that certain Community Covenant – The Brownstone at the Summit, recorded under Document No. 2011041359, in the Official Public Records of Williamson County, Texas, as amended (the "Covenant"), permits Declarant, in its sole determination, to annex additional lands into the terms and provisions of the Covenant. Rogers executes this Notice for the purpose of evidencing their consent to the annexation of Lot 2, Block B into the terms and provisions of the Covenant.

3. **Annexation.** The Property is hereby made subject to the terms and provisions of the Covenant and to the jurisdiction of the Association.

4. **Interpretation.** Any capitalized terms used and not otherwise defined in this Notice shall have the meaning set forth in the Covenant.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the 30 of May, 2013.

DECLARANT:

NOVAK BROTHERS TEXAS BROWNSTONES,  
LLC a Texas limited liability company

By [Signature]

Printed Name: JEFF NOVAK

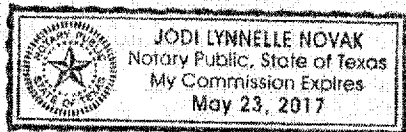
Title: \_\_\_\_\_

THE STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me on May 30, 2013, by Jeff Novak of Novak Brothers Texas Brownstones, LLC, a Texas limited liability company, on behalf of said limited liability company.

(SEAL)



[Signature]  
Notary Public Signature

ROGERS:

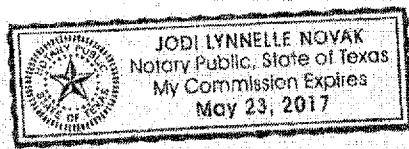
*James W. Rogers*  
James W. Rogers

*Julie A. Rogers*  
Julie A. Rogers

THE STATE OF TEXAS §  
COUNTY OF Williamson §  
§

This instrument was acknowledged before me on 8-14, 2013, by James W. Rogers.

(SEAL)

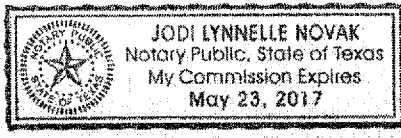


*Jodi Novak*  
Notary Public Signature

THE STATE OF TEXAS §  
COUNTY OF Williamson §  
§

This instrument was acknowledged before me on 8-14, 2013, by Julie A. Rogers.

(SEAL)



*Jodi Novak*  
Notary Public Signature

**EXHIBIT A**

Parcel 1: Lot 1, Block A, and Lots 1, 2, 3, 4, and 11, Block B, of the Brownstone at the Summit Phase 1, Phase 1 of a replat of Lots 4, 5, 6 and 7, Block A, The Rivery Park II, a subdivision of Record in Cabinet AA, Slides 20-23, Williamson County, according to the map or plat recorded as Document No. 2011047662, of the Official Public Records of Williamson County, Texas.

Parcel 2: An approximately 7.484 acre tract located in Williamson County, Texas, as more particularly described on Exhibit "A-1" attached hereto and incorporated herein for reference.

EXHIBIT A-1

Perimeter Description

BEING 7.484 acres of land, being a portion of Lots 4, and 7, Block A, of The Rivery Park II, a subdivision of record in Cabinet AA, Slides 20-23 of the Plat Records of Williamson County, Texas. Surveyed on the ground in the month of December, 2010, under the supervision of Brian F. Peterson, Registered Professional Land Surveyor, and being more particularly described as follows;

Beginning for Reference at an iron pin found at the Northeast corner of Rivery Boulevard as shown on the plat of the above-referenced The Rivery Park II, being on the south line of Rivery Boulevard as shown on the plat to The Rivery Subdivision, a subdivision of record in Cabinet P, Slide 325, of the Plat Records of Williamson County, Texas, marking the Northwest corner of the above-referenced Lot 4, being the Northwest corner of Brownstone at the Summit Phase I, a subdivision of record as Document No. 2011047662 of the Official Public Records of Williamson County, Texas;

THENCE, S 45°46'30" E, 54.82 feet to an iron pin found marking the Southeast corner of the said Rivery Boulevard as shown on the plat of The Rivery Subdivision, being the most northerly Southwest corner of that certain tract of land, called 35.817 acres, as conveyed to the City of Georgetown by deed recorded as Document No. 9859222 of the Official Records of Williamson County, Texas, for an interior corner of the said Lot 4, and continuing along the north line of the said Lot 4, being the south line of the said 35.817 acre City of Georgetown tract, N 86°11'30" S, 76.17 feet to a concrete monument set for the Northeast corner of the said Brownstone at the Summit Phase I, for the Northwest corner and Point of BEGINNING hereof;

THENCE, along the north, east, and south lines of the said Lot 4, being the south, west, and north lines of the said 35.817 acre City of Georgetown tract as follows;

N 86°11'30" E, 161.13 feet to a mag nail found;  
S 61°27'15" E, 251.93 feet to an iron pin found;  
S 26°46'15" E, 320.02 feet to an iron pin found;  
S 11°16'30" W, 167.61 feet to an iron pin found;  
S 38°40'30" W, 180.00 feet to a gin spindle found for the Southeast corner hereof;

THENCE, N 86°54'30" W, 85.32 feet;  
N 03°05'30" E, 46.91 feet;  
N 08°58'30" W, 32.60 feet;  
N 29°41'30" W, 4.82 feet;  
N 24°48'30" W, 49.59 feet;  
N 86°56'00" W, 66.62 feet;  
N 80°44'00" W, 49.90 feet;  
N 77°29'00" W, 56.00 feet;  
N 12°31'00" E, 170.09 feet;  
N 77°29'00" W, 90.01 feet;  
S 12°31'00" W, 312.17 feet;  
N 77°29'00" W, 123.48 feet beginning of a curve to the right,  
(Radius=125.02 feet, Long Chord bears N 64°39'00" W, 55.53 feet);  
Along the said curve for an arc distance of 55.99 feet;  
N51°49'15" W, 13.17 feet;

EXHIBIT A-1

N 12°31'00" E, 236.92 feet to the beginning of a curve to the right, (Radius=220.03 feet Long Chord bears N 18°02'30" E, 42.36 feet),  
Along the said curve for an arc distance of 42.42 feet;  
N 23°33'45" E, 93.41 feet to the beginning of a curve to the right,  
(Radius=122.02 feet, Long Chord bears N 26°12'15" W, 121.58 feet);  
Along the said curve for an arc distance of 127.27 feet to the beginning of a curve to the left, (Radius=15.00 feet,  
Long Chord bears N 32°24'45" W, 17.67 feet);  
Along the said curve for an arc distance of 18.90 feet; to a point on the south line of the said Brownstone at the Summit Phase I, for a westerly corner hereof;

THENCE, along the south line of the said Brownstone at the Summit Phase I, S 68°29'45" E, 18.22 feet to an iron pin set at the beginning of a curve to the left, (Radius = 122.00 feet Long Chord bears S 81°09'30" E, 53.48 feet);  
Thence, along the said curve for an arc distance of 53.92 feet to an iron pin set;  
Thence, N 86°10'45" E, 100.66 feet to a concrete monument set for the Southeast corner of the said Brownstone at the Summit Phase I, for an interior corner hereof;

THENCE, N 3°49'15" W, 131.49 feet to the Place of BEGINNING and containing 7.484 acres of land.

Note: Basis of Bearing GPS observation Texas Central State Plane.

This legal description does not meet subdivision requirements as set out for the division of real property.

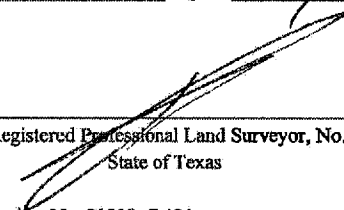
STATE OF TEXAS

KNOWN ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON

I, Brian F. Peterson, Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground of the property legally described hereon and is correct, and there are no apparent discrepancies, conflicts, overlapping of improvements, visible utility lines or roads in place, except as shown on the accompanying plat, to the best of my knowledge and belief.

To certify which, witness my hand and seal at Georgetown, Williamson County, Texas, this the 30th day of May, 2013, A.D.

  
\_\_\_\_\_  
Registered Professional Land Surveyor, No. 3967  
State of Texas  
Project No. 21819- 7.484

Brian F. Peterson



**STEGE BIZZELL**

1978 S. Austin Ave  
Georgetown, TX 78626  
(512) 930-9412