

Annexes

Unit 5 into

Unit 1

STATE OF TEXAS

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COUNTY OF COMAL

# NOTICE OF ADDITION OF LAND TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LANTANA RIDGE UNIT 1

WHEREAS, Lantana Development, LLC, as Declarant, has previously recorded certain Declarations of Covenants, Conditions and Restrictions for Lantana Ridge Unit 1 (the "Declaration"), recorded in Document No. 200006021697 of the Official Public Records of Comal County, Texas;

WHEREAS, Lantana Development, LLC, as Declarant, subsequently filed of record that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Lantana Ridge Unit 1 (the "First Amendment") recorded in Document No. 200106024289 of the Official Public Records of Comal County, Texas;

WHEREAS, Lantana Development, LLC, as Declarant, subsequently filed of record that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Lantana Ridge Unit 3 (the "First Amendment") recorded in Document No. 200306015056 of the Official Public Records of Comal County, Texas;

WHEREAS, Lantana Development, LLC, as Declarant, subsequently filed of record that certain Notice of Addition of Land to the Declaration of Covenants, Conditions and Restrictions for Lantana Ridge Unit 1 (the "First Amendment") recorded in Document No. 200306015057 of the Official Public Records of Comal County, Texas;

WHEREAS, Section 2.01 of the Declaration provides that the Declarant, its successors and assigns, shall have the right and option at any time prior to December 31, 2030 to bring within the scheme of the Declaration additional real property so long as such real property is within the area described in Exhibit "A" attached to the Declaration;

WHEREAS, Declarant has recently subdivided property contiguous to the property made the subject of the Declaration, such property also being within the area described in Exhibit "A" attached to the Declaration (such recently subdivided property being known as "Lantana Ridge Unit 5"), such subdivision being recorded in Volume 14 Page 303-306, Plat Records of Comal County, Texas; and

WHEREAS, Declarant is the owner of all property contained within Lantana Ridge Unit 5, and at the time this instrument is recorded, Declarant owns at least 51% of all of the lots in Lantana Ridge Units 1, 2, 3 & 4;

NOW THEREFORE, Declarant, by its signature below, hereby includes Lantana Ridge Unit 5 into the Declaration, with all property contained within Lantana Ridge Unit 5 being subject to all terms and conditions of the Declaration the same as if such property had been originally included in such Declaration, and included in the definition of "Property" contained in such Declaration.

IN WITNESS WHEREOF, Declarant has executed this instrument this 2 day of September, 2003.

DECLARANT:

LANTANA DEVELOPMENT, LLC

By: Taylor Investment Corporation,  
Manager

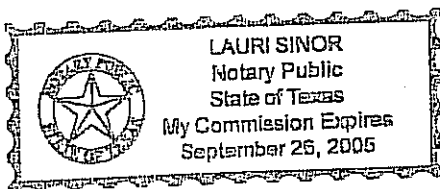
By: [Signature]  
Gene T. Foy  
Vice President

STATE OF TEXAS

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COUNTY OF COMAL

On this 2 day of September, 2003, before me, a notary public, personally appeared Gene T. Foy, who being by me duly sworn, did say that he is an Vice President of Lantana Development, LLC a limited liability company under the laws of the State of Delaware, and the foregoing instrument was signed on behalf of said corporation by authority of its Board of Directors and said he acknowledged said instrument to be the free act and deed of said limited liability company.



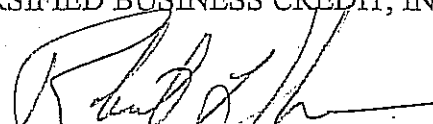
[Signature]  
Notary Public, State of Texas

EXHIBIT A

## CONSENT OF LIENHOLDER

Lienholder does hereby consent to the foregoing Notice of Addition of land to the Declaration of Covenants, Conditions, and Restrictions. Lienholder shall not, by its consent, be responsible for the enforcement of any of the provisions and shall be held harmless by any owner seeking to enforce any of the Covenants, Conditions and Restrictions.

DIVERSIFIED BUSINESS CREDIT, INC.

BY: 

Name:

Robert L. Johnson

Title:

Vice President

## ACKNOWLEDGMENT

STATE OF MINNESOTA §

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COUNTY OF HENNEPIN §

On this 28<sup>th</sup> day of August, 2003, before me a notary public, personally appeared Robert L. Johnson to me being personally known, who being by me duly sworn, did say that he is the Vice President of Diversified Business Credit, Inc., a corporation under the laws of the State of Minnesota, and the foregoing instrument was signed on behalf of said corporation.

Given under my hand and seal of office this 28<sup>th</sup> day of August, 2003.

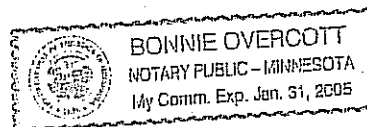
Bonnie Overcott  
Notary Public, State of Minnesota

## AFTER RECORDING RETURN TO:

Lantana Development, LLC  
P. O. Box 1049  
Spring Branch, Texas 78070

STATE OF TEXAS  
COUNTY OF COMAL

This is to certify that this document was FILED and RECORDED in the Official Public Records of Comal County, Texas on the date and time stamped thereon.



Doc# 200306040786

# Pages 3

10/31/2003 12:55:16 PM

Filed & Recorded in  
Official Records of  
COMAL COUNTY  
JOY STREATER  
COUNTY CLERK  
Fees \$10.00



COUNTY CLERK