

**SUPPLEMENTAL DECLARATION TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
ON AND FOR  
WINDSOR AT PRESTON MANOR**

STATE OF TEXAS           § § COUNTY OF LUBBOCK   §	Reference Recording No: 2020058016
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THIS SUPPLEMENTAL DECLARATION TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS ON AND FOR WINDSOR AT PRESTON MANOR ("**Supplement**") is made as of the date set forth below by WOLFFORTH LAND COMPANY, LLC, a Texas limited liability company ("**Declarant**").

**WITNESSETH**

**WHEREAS**, Declarant previously executed that certain instrument entitled "Declaration of Covenants, Conditions, and Restrictions on and for Windsor at Preston Manor," dated December 21, 2020, under Lubbock County Clerk's File No. 2020058016 in the Official Public Records of Lubbock County, Texas (as may be amended and supplemented from time to time, the "**Declaration**"); and

**WHEREAS**, pursuant to the terms of Article 1, Section 2 of the Declaration, Declarant may unilaterally submit, at its option, at any time and from time to time, property it owns to the provisions of the Declaration by recording "Supplemental Declarations" (as defined in the Declaration) describing the property to be submitted to the Declaration which Supplemental Declaration may contain provisions applying to the property which are different from and inconsistent from the provisions of the Declaration; and

**WHEREAS**, the property described on Exhibit "A" to this Supplement ("**Additional Property**") is owned by Declarant; and

**WHEREAS**, Declarant, as the owner of the Additional Property, desires to submit the Additional Property to the terms of the Declaration;

**NOW, THEREFORE**, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby submits the Additional Property to the provisions of the Declaration and this Supplement. All such property shall be held, sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of the Declaration and this Supplement, as either may be amended, which shall run with the title to the Additional Property and shall benefit and be binding upon all persons having any right, title, or any interest in all or any of the Additional Property, their respective heirs, legal representatives, successors, successors-in-title, and assigns.

**CHAPTER I**  
**Definitions**

Except as otherwise defined in this Supplement, all capitalized terms shall have the same meaning as set forth in the Declaration.

**CHAPTER II**  
**Development Period**

Pursuant to the terms set forth in Article I, Section 1.b of the Declaration, the Development Period, as it pertains to the Additional Property, shall be twenty (20) years from the date this Supplement is recorded in the Official Public Records of Lubbock County, Texas ("**Supplement Development Period**").

**CHAPTER III**  
**Amendment**

3.1. By Declarant. Declarant shall have the unilateral right to amend this Supplement for any purpose during the Supplement Development Period, including, but not limited to, the right to impose additional covenants, conditions, restrictions and obligations which may be similar to, different from and inconsistent from those set forth in the Declaration. The imposition of such covenants, conditions, restrictions and obligations shall not require the consent of the Owner of any Lot within the Additional Property. Thereafter, Declarant may unilaterally amend this Supplement if such amendment is necessary (a) to bring any provision into compliance with any applicable governmental statute, rule, regulation, or judicial determination; (b) to enable any reputable title insurance company to issue title insurance coverage on the Units; (c) to enable any institutional or governmental lender, purchaser, insurer, or guarantor of mortgage loans, including, for example, the Federal National Mortgage Association or Federal Home Loan Mortgage Corporation, to make, purchase, insure, or guarantee mortgage loans on the Lots; or (d) to satisfy the requirements of any local, state, or federal governmental agency. Furthermore, after the Supplement Development Period, Declarant may unilaterally amend this Supplement provided the amendment has no material adverse effect upon the rights of more than 2% of the Owners, except as set forth below, for any other purpose.

In addition, during the Supplement Development Period, Declarant may unilaterally amend this Supplement to submit additional property to the terms hereof or to reflect any revisions or amendments to any plats or legal description referenced on Exhibit "A" hereof.

Notwithstanding this reserved right, the initial recording of and the revision or amendment to a recorded plat shall not require an amendment to this Supplement so long as no property is added or excluded from the plat by the recording, revision or amendment thereto. Declarant reserves the right to record initial, revised, amended, or additional plats that only affect internal boundaries between Lots, combine Lots, or subdivide Lots shown on an original plat and, so long as they do not alter the overall property submitted to the Declaration by this Supplement, such initial, revised, amended or additional plats shall not necessitate an amendment to this Supplement.

3.2. By Owners. Except as otherwise specifically provided above and elsewhere in this Supplement, this Supplement may only be amended by the affirmative vote or written consent, or any combination thereof, of 75% of the total votes allocated to all the Lots within the Additional Property and the written consent of Declarant during the Supplement Development Period.

3.3. Joinder of the Association. In the event that an "Association" (as defined in the Declaration) is established pursuant to the Declaration, the Association shall, not more than ten days after the request of Declarant, join in any amendment to this Supplement and execute such instruments to evidence such joinder and consent as Declarant shall, from time to time request. Failure to so join and consent to an amendment,

if any, by the Association shall not be cause to prevent such amendment from being made by Declarant or to affect the validity thereof.

3.4. Declarant's Rights. Notwithstanding anything to the contrary herein contained, no amendment to this Supplement shall be effective which shall impair or prejudice the rights or privileges of Declarant without the specific written approval of Declarant (or the assignee of such right or privilege).

3.5. Validity and Effective Date. If an Owner consents to any amendment to this Supplement, it will be conclusively presumed that such Owner has the authority to consent, and no contrary provision in any mortgage or contract between the Owner and a third party will affect the validity of such amendment.

Any amendment shall become effective upon recording unless a later effective date is specified in the amendment. Any procedural challenge to an amendment must be made within six months of its recordation or such amendment shall be presumed to have been validly adopted. In no event shall a change of conditions or circumstances operate to amend any provisions of this Supplement.

[CONTINUED ON NEXT PAGE]

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IN WITNESS WHEREOF, the undersigned, on behalf of Declarant, have executed this Supplement, this 7 day of JULY, 2022.

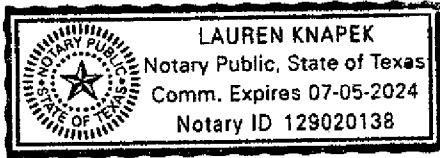
**DECLARANT:**

**WOLFFORTH LAND COMPANY, LLC**, a Texas limited liability company

By: *Michael Montgomery*  
Michael Montgomery, Manager

THE STATE OF TEXAS §  
§  
COUNTY OF DALLAS §

This instrument was acknowledged before me on this 7 day of JULY, 2022 by Michael Montgomery, a Manager of WOLFFORTH LAND COMPANY, LLC, a Texas limited liability company, on behalf of said entity.

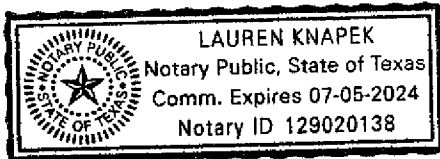


*Lauren Knapik*  
Notary Public, State of TEXAS

By: *Kenneth R. Smith*  
Kenneth R. Smith, Manager

THE STATE OF TEXAS §  
§  
COUNTY OF DALLAS §

This instrument was acknowledged before me on this 7 day of JULY, 2022 by Kenneth R. Smith, a Manager of WOLFFORTH LAND COMPANY, LLC, a Texas limited liability company, on behalf of said entity.



*Lauren Knapik*  
Notary Public, State of TEXAS

**AFTER RECORDING, RETURN TO:**  
WOLFFORTH LAND COMPANY/IRON HORSE, LLC  
1020 E. Levee Street, Suite 130  
Dallas, Texas 75207-7202  
Attn: Michael Montgomery

## EXHIBIT "A"

### Legal Description of the Additional Property

Any and all real property and improvements with PLAT LIMITS FOR LOTS 1 - 66 & TRACTS "A" - "C", WINDSOR ESTATES AT PRESTON MANOR ADDITION TO THE CITY OF WOLFFORTH, being a 26.74 acre tract of land situated in the Northwest part of Section 32, Block AK, Lubbock County, Texas, being a 1.56 acre portion of a tract of land conveyed to Wolfforth Land Company, LLC, as described in County Clerk's File (CCF) #2016023572, the remaining 17.03 acres of a 25.93 acre tract of land described in CCF 2017038204 & all of a 8.15 acre tract of land described in CCF #2021006842, of the Official Public Records of Lubbock County, Texas (OPRLC, TX), and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found at the Northeast corner of Tract H, of Lots 1-466 & Tracts A-M, Preston Manor, according to the map, plat and/dedication deed thereof recorded in Volume 8338, Page 25, of the OPRLC, TX for the Southwest corner of these plat limits;

THENCE N. 01°50'43" E. (bearings are relative to Grid North, Texas Coordinate System of 1983, North Central Zone 4202, (2011, epoch 2010.0)) a distance of 455.14 feet (distances are surface distances, U.S. Survey Feet) to a 1/2" iron rod with blue plastic cap inscribed "CHT RPLS 6460" (hereinafter referred to as an OJD-CHT cap) set for a corner of these plat limits;

THENCE N. 43°09'17" W. a distance of 14.13 feet to an OJD-CHT cap set at the beginning of a curve to the left having a radius = 97.03 feet for a corner of these plat limits;

THENCE in a Southwesterly direction around said curve to the left having a radius = 97.03 feet, a chord bearing = S. 86°24'06" W., a chord length = 16.11 feet,  $\Delta = 09^{\circ}31'29"$ , an arc length of 16.13 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE S. 81°38'21" W. a distance of 34.12 feet to an OJD-CHT cap set at the beginning of a curve to the right having a radius = 153.03 feet for a corner of these plat limits;

THENCE in a Southwesterly direction around said curve to the right having a radius = 153.03 feet, a chord bearing = S. 86°24'42" W., a chord length = 25.46 feet,  $\Delta = 09^{\circ}32'42"$ , an arc length of 25.49 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE S. 46°50'49" W. a distance of 21.23 feet to an OJD-CHT cap set in the East right-of-way line of Farm to Market (FM) Road 179 as described in CCF #2018029607, OPRLC, TX for a corner of these plat limits from which a 1/2" iron rod with yellow plastic cap inscribed "HR&ASSOC" found at the Northwest corner of said Tract H bears S. 01°50'56" W. a distance of 440.11 feet;

THENCE N. 01°50'56" E., contiguous with said right-of-way line, a distance of 86.01 feet to an OJD-CHT cap set for a corner of these plat limits from which a brass disk in concrete

(hereinafter referred to as a TXDOT monument) found at a point of intersection of said East right-of-way line bears N. 01°50'56" E. a distance of 220.24 feet;

THENCE S. 43°09'11" E. a distance of 21.20 feet to an OJD-CHT cap set at the beginning of a curve to the left having a radius = 97.03 feet for a corner of these plat limits;

THENCE in a Northeasterly direction around said curve to the left having a radius = 97.03 feet, a chord bearing = N. 86°13'39" E., a chord length = 15.52 feet,  $\Delta = 09^{\circ}10'36''$ , an arc length of 15.54 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE N. 81°38'21" E. a distance of 34.12 feet to an OJD-CHT cap set at the beginning of a curve to the right having a radius = 153.03 feet for a corner of these plat limits;

THENCE in a Northeasterly direction around said curve to the right having a radius = 153.03 feet, a chord bearing = N. 86°31'27" E., a chord length = 26.06 feet,  $\Delta = 09^{\circ}46'12''$ , an arc length of 26.09 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE N. 46°50'43" E. a distance of 14.15 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE N. 01°50'43" E. a distance of 446.00 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE N. 88°09'17" W. a distance of 89.91 feet to an OJD-CHT cap set in the East right-of-way line of said FM Road 179 for a corner of these plat limits from which a TXDOT monument found at a point of intersection of said right-of-way line bears S. 01°51'34" W. a distance of 230.68 feet;

THENCE N. 01°51'34" E., contiguous with said right-of-way line, a distance of 361.22 feet to a TXDOT monument found for the most Westerly Northwest corner of these plat limits;

THENCE N. 41°42'00" E., contiguous with said right-of-way line, a distance of 71.18 feet to a TXDOT monument found at the intersection of the East right-of-way line of FM Road 179 and the South right-of-way line of County Road (CR) 7000 (aka 66th Street) as described in Volume 9579, Page 33, OPRLC, TX for the most Northerly Northwest corner of these plat limits;

THENCE S. 88°12'39" E., contiguous with said South right-of-way line, a distance of 233.46 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE S. 01°50'43" W. a distance of 100.10 feet to an OJD-CHT cap set for a corner of these plat limits from which a 1/2" iron rod found at the most Northerly Northwest corner of said 8.15 acre tract bears N. 88°13'07" W., a distance of 159.03 feet;

THENCE S. 88°13'07" E. a distance of 463.00 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE N. 46°48'48" E. a distance of 14.15 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE N. 01°50'43" E. a distance of 75.04 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE N. 43°10'58" W. a distance of 21.20 feet to an OJD-CHT cap set in the South right-of-way line of said CR 7000 for a corner of these plat limits;

THENCE S. 88°12'39" E., contiguous with said South right-of-way line, a distance of 86.00 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE S. 46°49'02" W. a distance of 21.22 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE S. 01°50'43" W. a distance of 75.03 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE S. 43°11'12" E. a distance of 14.13 feet to an OJD-CHT cap set for a corner of these plat limits;

THENCE S. 88°13'07" E. a distance of 229.00 feet to an OJD-CHT cap set at the Northwest plat corner of Lots 1-8, 61-69, 70-73 & Tracts A&B, Windsor at Preston Manor (hereinafter referred to as Phase 1), according to the map, plat and/or dedication deed thereof recorded in CCF #2020044480, OPRLC, TX for the Northeast corner of these plat limits;

THENCE contiguous with the plat limits of said Phase 1, the following twenty-one (21) courses and distances:

1) S. 01°50'43" W. a distance of 196.84 feet to an OJD-CHT cap found in the South right-of-way line of 15th Street as shown on said plat of Phase 1 for a corner of these plat limits;

2) S. 88°09'17" E., contiguous with said South right-of-way line, a distance of 18.71 feet to an OJD-CHT cap found for a corner of these plat limits;

3) S. 43°09'17" E. a distance of 21.21 feet to an OJD-CHT cap found in the West right-of-way line of Brookshire Avenue as shown on said plat of Phase 1 for a corner of these plat limits;

4) S. 01°50'43" W., contiguous with said West right-of-way line, a distance of 95.00 feet to an OJD-CHT cap found for a corner of these plat limits;

5) S.  $46^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 14.14 feet to an OJD-CHT cap found for a corner of these plat limits;

6) S.  $01^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 20.00 feet to an OJD-CHT cap found for a corner of these plat limits;

7) S.  $43^{\circ}09'17''$  E., contiguous with said West right-of-way line, a distance of 14.14 feet to an OJD-CHT cap found for a corner of these plat limits;

8) S.  $01^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 95.00 feet to an OJD-CHT cap found for a corner of these plat limits;

9) S.  $46^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 21.21 feet to an OJD-CHT cap found for a corner of these plat limits;

10) S.  $01^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 56.00 feet to an OJD-CHT cap found for a corner of these plat limits;

11) S.  $43^{\circ}09'17''$  E., contiguous with said West right-of-way line, a distance of 21.21 feet to an OJD-CHT cap found for a corner of these plat limits;

12) S.  $01^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 95.00 feet to an OJD-CHT cap found for a corner of these plat limits;

13) S.  $46^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 14.14 feet to an OJD-CHT cap found for a corner of these plat limits;

14) S.  $01^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 20.00 feet to an OJD-CHT cap found for a corner of these plat limits;

15) S.  $43^{\circ}09'17''$  E., contiguous with said West right-of-way line, a distance of 14.14 feet to an OJD-CHT cap found for a corner of these plat limits;

16) S.  $01^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 95.00 feet to an OJD-CHT cap found for a corner of these plat limits;

17) S.  $46^{\circ}50'43''$  W., contiguous with said West right-of-way line, a distance of 21.21 feet to an OJD-CHT cap found in the North right-of-way line of North 13th Street as shown on said plat Phase 1 for a corner of these plat limits;

18) N.  $88^{\circ}09'17''$  W., contiguous with said North right-of-way line, a distance of 312.21 feet to an OJD-CHT cap set for a corner of these plat limits;



19) S.  $01^{\circ}50'43''$  W. a distance of 330.14 feet to an OJD-CHT cap found for a corner of these plat limits;

20) S.  $25^{\circ}15'32''$  W. a distance of 77.37 feet to an OJD-CHT cap found for a corner of these plat limits;

21) S.  $01^{\circ}50'43''$  W. a distance of 120.00 feet to an OJD-CHT cap found in the North plat limits of said Preston Manor at the Southwest plat corner of said Phase 1 for the Southeast corner of these plat limits;

THENCE N.  $88^{\circ}09'17''$  W., contiguous with the North plat limits of said Preston Manor, a distance of 633.01 feet to the POINT OF BEGINNING.

# FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
07/08/2022 08:02 AM  
Recording Fee: \$58.00  
**2022033039**