

**Seventh Amendment**  
**To**  
**Declaration of Restrictive Covenants and Easements**  
**The BioCorridor District**

**AFTER RECORDING, RETURN TO:**

West, Webb, Allbritton & Gentry, P.C.  
Attn: Michael H. Gentry  
1515 Emerald Plaza  
College Station, Texas 77845

**SEVENTH AMENDMENT  
TO  
DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS  
THE BIOCORRIDOR DISTRICT**

THIS SEVENTH AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS THE BIOCORRIDOR DISTRICT ("Amendment") is made this 26th day of January, 2017, by BRYAN/TRADITIONS, LP, a Texas limited partnership ("Declarant").

**WITNESSETH:**

- A. **WHEREAS**, Declarant recorded a Declaration of Restrictive Covenants and Easements The BioCorridor District on April 29, 2013, in the Official Records of Brazos County, Texas, at Volume 11313, Page 1, as amended by Correction Affidavit on June 3, 2013 recorded at Volume 11382, Page 176 of the Official Records of Brazos County, Texas, by First Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on May 23, 2013, in the Official Records of Brazos County, Texas, at Volume 11439, Page 36, by Second Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on March 3, 2015, in the Official Records of Brazos County, Texas, at Volume 12547, Page 266, by Third Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on April 29, 2015, in the Official Records of Brazos County, Texas, at Volume 12651, Page 256, by Fourth Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on January 5, 2016, in the Official Records of Brazos County, Texas, at Volume 13125, Page 288, by Fifth Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on February 10, 2016, in the Official Records of Brazos County, Texas, at Volume 13176, Page 1, and by Sixth Amendment to Declaration of Restrictive Covenants and Easements The BioCorridor District on September 28, 2016, in the Official Records of Brazos County, Texas, at Volume 13629, Page 246 (as amended now or in the future, the "Declaration");
- B. **WHEREAS**, all capitalized terms used herein that are not otherwise defined shall have the meaning given those words in the Declaration;
- C. **WHEREAS**, pursuant to the Fifth Amendment to the Declaration (i) certain property ("Subject Property") was added to the Property and to the definition of Property, annexed into the District, and annexed into the Atlas Sub-District, and (ii) a portion of that certain property was designated as Limited Common Areas of the Atlas Sub-District;
- D. **WHEREAS**, the Subject Property has subsequently been made subject to that certain Replat recorded at Volume 13695, Page 118, Official Records, Brazos County, Texas ("Replat");
- E. **WHEREAS**, Atlas MOB I, LLC, a Texas limited liability company, is the owner of the certain real property described on Exhibit "A" attached hereto (referred to herein as the "Atlas MOB Lot");
- F. **WHEREAS**, the BioCorridor Property Owners Association, Inc., a Texas nonprofit corporation, is the owner of the certain real property described on Exhibit "B" attached hereto (referred to herein as the "Common Area Property");
- G. **WHEREAS**, Atlas MOB I, LLC, a Texas limited liability company and the BioCorridor Property Owners Association, Inc., a Texas nonprofit corporation, have entered that certain Boundary Line Agreement, recorded at Volume 13826, Page 206, Official Records, Brazos County, Texas, to correct the ownership of the Atlas MOB Lot and the Common Area Property, respectively;
- H. **WHEREAS**, Declarant now desires to amend the actions taken pursuant to the Fifth Amendment to the Declaration as a result of the Replat;

- I. **WHEREAS**, Declarant desires to amend the Declaration for the purpose of adding the Atlas MOB Lot and the Common Area Property to the definition of Property and to annex the Annexed Property into the District;
- J. **WHEREAS**, Declarant previously created the Atlas Sub-District and desires to annex the Atlas MOB Lot and the Common Area Property into the Atlas Sub-District;
- K. **WHEREAS**, Declarant desires to designate the Common Area Property as part of the Atlas Sub-District Limited Common Areas, and remove any portion of the Atlas MOB Lot from the Atlas Sub-District Limited Common Areas;
- L. **WHEREAS**, Paragraph I(4) of Article III of the Declaration authorizes the Declarant to amend the Declaration without the approval of any other Owner or Mortgagee if such amendment has no adverse effect on any such Owner or Mortgagee; and
- M. **WHEREAS**, this Amendment has no material adverse effect on any Owner or Mortgagee other than the Owner of the Atlas MOB Lot and the Owner of the Common Area Property, and each such Owner has given its consent to this Amendment herein.

**NOW, THEREFORE**, Declarant hereby amends the Declaration as set forth below.

- 1. **Definition of Property and Annexation into the District.** The Property, as defined in the Declaration and further described on Exhibit "A" to the Declaration is amended so that the Atlas MOB Lot and the Common Area Property are added to and included in the definition of Property, and the Atlas MOB Lot and the Common Area Property are hereby annexed into the District.
- 2. **Annexation into the Atlas Sub-District.** The Atlas MOB Lot and the Common Area Property are hereby annexed into and made a part of the Atlas Sub-District.
- 3. **Limited Common Areas of the Atlas Sub-District.** The definition of the Atlas Sub-District Limited Common Areas is hereby amended to include the Common Area Property, and such described property shall be considered as Limited Common Areas of the Atlas Sub-District for all purposes. To the extent any portion of the Atlas MOB Lot is included in the Atlas Sub-District Limited Common Areas as a result of the Fifth Amendment to the Declaration, such portion is hereby removed from the definition of the Atlas Sub-District Limited Common Areas.
- 4. **No Other Changes.** Except as amended herein, the Declaration remains in full force and effect.

*[Signature Page Follows]*

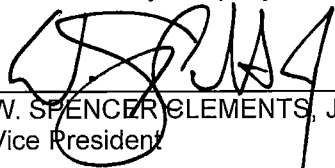
IN WITNESS WHEREOF, duly authorized officers of the undersigned Declarant have executed this Declaration under seal, this 26<sup>th</sup> day of January, 2017.

DECLARANT:

BRYAN/TRADITIONS, LP, a Texas limited partnership

By: TRADITIONS ACQUISITION PARTNERSHIP GP, LLC,  
a Texas limited liability company, its General Partner

By:

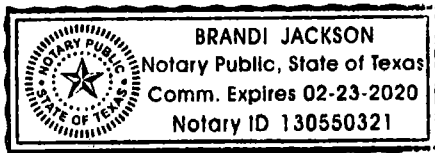
  
W. SPENCER CLEMENTS, JR.,  
Vice President


STATE OF TEXAS

§  
§  
§

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 26 day of January, 2017, by W. Spencer Clements, Jr., Vice President of Traditions Acquisition Partnership GP, LLC, a Texas limited liability company, the general partner of BRYAN/TRADITIONS, LP, a Texas limited partnership, acting for and on behalf of said limited partnership.



  
NOTARY PUBLIC, State of Texas

Consent of Owner

ATLAS MOB I, LLC, a Texas limited liability company

By: \_\_\_\_\_

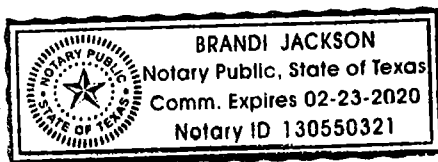
W. SPENCER CLEMENTS, JR.,  
President

STATE OF TEXAS

§  
§  
§

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 26 day of January, 2017, by W. Spencer Clements, Jr., as President of ATLAS MOB I, LLC.



Brandi Jackson  
NOTARY PUBLIC, State of Texas

BioCorridor Property Owners Association, Inc., a Texas nonprofit corporation

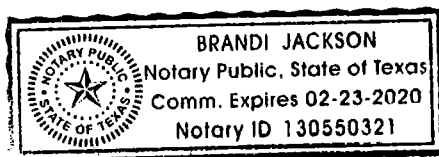
By: \_\_\_\_\_

W. Spencer Clements, Jr., Director

STATE OF TEXAS

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 26 day of January, 2017 by W. Spencer Clements, Jr., as Director of the BioCorridor Property Owners Association, Inc.



Brandi Jackson  
NOTARY PUBLIC, State of Texas

**EXHIBIT A**

**ATLAS MOB LOT**

Lot One R (1R), Block One (1), The Traditions Subdivision Phase 3, City of Bryan, according to the replat thereof recorded in Volume 13695, Page 118, Official Records, Brazos County, Texas

**EXHIBIT B**

Doc Bk Vol Ps  
01287474 0R 13826 289

**COMMON AREA PROPERTY**

Common Area One (1), Block One (1), The Traditions Subdivision Phase 3, City of Bryan, according to the replat thereof recorded in Volume 13695, Page 118, Official Records, Brazos County, Texas

Filed for Record in:  
BRAZOS COUNTY

On: Jan 26, 2017 at 04:08P

As a  
Recordings

Document Number: 01287474

Amount 50.00

Receipt Number - 594073

By:  
Lauren Reistino

STATE OF TEXAS COUNTY OF BRAZOS  
I hereby certify that this instrument was  
filed on the date and time stamped hereon by me  
and was duly recorded in the volume and page  
of the Official Public records of:

BRAZOS COUNTY

as stamped hereon by me.

Jan 26, 2017

Karen McQueen, Brazos County Clerk  
BRAZOS COUNTY

UTile No. 1702181K

**CORRECTION AFFIDAVIT**  
**Pursuant to Section 5.028, Texas Property Code**

**\*\*\* NOTICE TO COUNTY CLERK – PLEASE INDEX AS FOLLOWS: \*\*\***

**DECLARANT: Bryan/Traditions, LP**

**STATE OF TEXAS**  
**COUNTY OF BRAZOS**

**Date: February 1, 2017**

**Description of Original Instrument (“Original Instrument”):**

**Seventh Amendment to Declaration of Restrictive Covenants and Easements The Biocorridor District dated January 26, 2017, executed by Bryan/Traditions, LP, recorded in Volume 13826, Page 283, Official Records, Brazos County, Texas.**

**Legal Description:**

**Tract One:**

**Lot One R (1R), Block One (1), The Traditions Subdivision Phase 30, City of Bryan, according to the replat thereof recorded in Volume 13695, Page 118, Official Records, Brazos County, Texas.**

**Tract Two:**

**NON-EXCLUSIVE EASEMENTS PURSUANT TO DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS THE BIO CORRIDOR DISTRICT, RECORDED IN VOLUME 11313, PAGE 1, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.**

**Affiant: Kary Mersmann (hereinafter “Affiant”)**

**Affiant on oath swears that the following statements are true and correct and are within the personal knowledge of Affiant:**

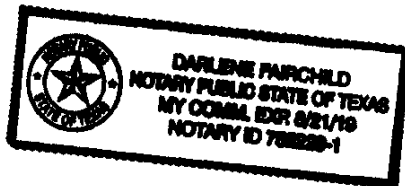
- 1. My full legal name is Kary Mersmann, and I am over the age of eighteen (18) years and qualified to make this Affidavit.**
- 2. I am employed as an Escrow Officer of University Title Company. I closed the transaction relating to the Original Instrument and have personal knowledge of the facts relevant to the correction of the Original Instrument, having reviewed all documents.**
- 3. I am making this Affidavit as a correction instrument pursuant to Section 5.028 of the Texas Property Code, with regard to the following non-material error in the Original Instrument: The phase number referenced is incorrect as Phase 3.**
- 4. The Original Instrument should correctly read as follows with respect to the non-material error described above, this being a non-material change to the Original Instrument: The correct phase number is Phase 30.**



5. I have given notice of this correction of the Original Instrument by sending a copy of this Correction Affidavit by mail to each party to the Original Instrument in accordance with Section 5.028 (d)(2), Texas Property Code.

Kary Mersmann  
Kary Mersmann

SUBSCRIBED AND SWORN TO before me on February 1, 2017 by Kary Mersmann.



Darlene Fairchild  
Notary Public, State of Texas

Filed for Record in:  
BRAZOS COUNTY

On: Feb 02, 2017 at 02:59P

As a  
Recordings

Document Number: 01288089

Amount 30.00

Receipt Number - 594627

By:  
Karen McQueen

STATE OF TEXAS COUNTY OF BRAZOS  
I hereby certify that this instrument was  
filed on the date and time stamped hereon by me  
and was duly recorded in the volume and page  
of the Official Public records of:

BRAZOS COUNTY

as stamped hereon by me.

Feb 02, 2017

Karen McQueen, Brazos County Clerk  
BRAZOS COUNTY