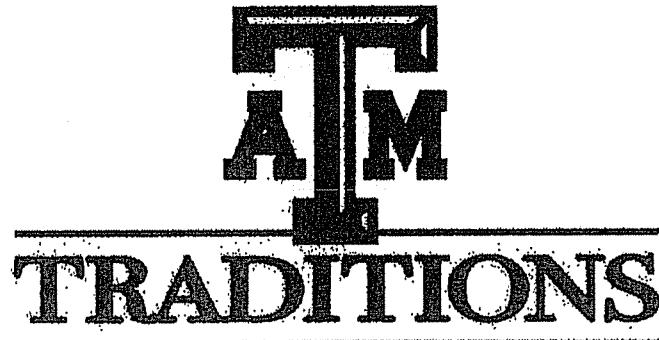


Bill & Return to:
University Title Company
P.O. Drawer DT
College Station, Texas 77841

(A) GF# 1125161 CTR

Doc 8k Vol Pg
01154164 0R 11312 280



Brazos County, Texas

**Fifth Amendment
To
Declaration of Covenants, Conditions, and Restrictions
For The Traditions**

AFTER RECORDING, RETURN TO:

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

FIFTH AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE TRADITIONS

THIS FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE TRADITIONS ("Amendment") is made this 29th day of July, 2013, by BRYAN/TRADITIONS, LP, a Texas limited partnership ("Declarant").

WITNESSETH:

WHEREAS, Declarant recorded a Declaration of Covenants, Conditions, and Restrictions For The Traditions on March 3, 2004, in the Official Records of Brazos County, Texas, at Volume 5901, Page 1; and on July 12, 2006, Declarant recorded a First Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions, in the Official Records of Brazos County, Texas, at Volume 7444, Page 49 ("First Amendment"); and on May 12, 2008, Declarant recorded a Second Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Second Amendment"), in the Official Records of Brazos County, Texas, at Volume 8586, Page 52; and on May 3, 2012, Declarant recorded a Third Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions, in the Official Records of Brazos County, Texas, at Volume 10681, Page 73 and then on October 23, 2012, a restated Third Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Third Amendment"), in the Official Records of Brazos County, Texas, at Volume 10973, Page 109; and on February 5, 2013, Declarant recorded a Fourth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Fourth Amendment"), in the Official Records of Brazos County, Texas, at Volume 11151, Page 39 (collectively, as amended now or in the future, the "Declaration"), such Declaration further identified in Management Certificate of the Traditions Homeowners Association, Inc., in the Official Records of Brazos County, Texas, at Volume 9318, Page 101;

WHEREAS, all capitalized terms used herein that are not otherwise defined shall have the meaning given those words in the Declaration;

WHEREAS, the Declaration identifies and defines the Initial Property and the Additional Property;

WHEREAS, Declarant is the owner of certain real property, including the following (collectively referred to herein as the "Omitted Property"):

- (i) Lot Two (2), Block One (1), The Traditions Subdivision Phase 23, City of Bryan, according to the plat thereof recorded in Volume 11293, Page 184, Official Records, Brazos County, Texas; and
- (ii) Greenway Common Area, The Traditions Subdivision Phase 23, City of Bryan, according to the plat thereof recorded in Volume 11293, Page 184, Official Records, Brazos County, Texas.

WHEREAS, the Omitted Property is defined as Additional Property under the terms of the Declaration;

WHEREAS, Section 2.02(a) of the Declaration authorizes the Declarant to amend the Declaration for the purposes of terminating the option to submit the Additional Property, or any portion thereof, to the Property; and

WHEREAS, Declarant desires to amend the Declaration for the purpose of terminating the option to add the Omitted Property to the Property.

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

1. **Definition of Additional Property.** The Additional Property, as defined in the Declaration, and on Exhibit "B" to the Declaration is amended so that the Omitted Property is removed from such definition.
2. **Release of Option.** The Declarant hereby terminates the option to submit the Omitted Property to the Property such that the Omitted Property shall not be subject to the option described in Section 2.02 of the Declaration.
3. **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 24 day of April, 2013.

DECLARANT:

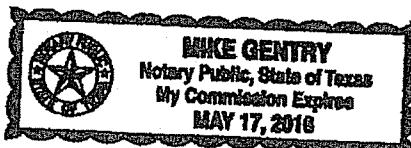
BRYAN/TRADITIONS, LP, a Texas limited partnership

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 27th day of April, 2013, by W. Spencer Clements, Jr., Vice President of Traditions Acquisition Partnership GP, LLC, a Texas limited liability company, the general partner of BRYAN/TRADITIONS, L.P., a Texas limited partnership, acting for and on behalf of said limited partnership.



NOTARY PUBLIC, State of Texas

After Recording Return To:

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

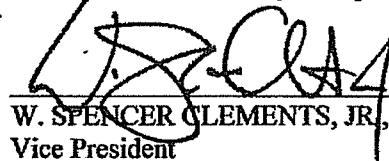
Consent of Owner

Pursuant to Section 2.02 of the Declaration, Declarant does hereby consent to and approve the termination of the option to add the Omitted Property to the Property.

BRYAN/TRADITIONS, LP, a Texas limited partnership

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

By:

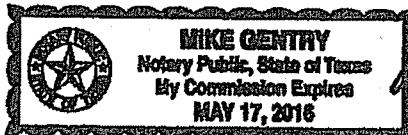

W. SPENCER CLEMENTS, JR.,
Vice President

STATE OF TEXAS

COUNTY OF BRAZOS

§ 22.20

This instrument was acknowledged before me on the 29th day of April, 2013, 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

Karen McLean, Brazos County Clerk
BRAZOS COUNTY

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

as stated herein by me.

May 02, 2013

Filed for Record in
BRAZOS COUNTY
On: May 02, 2013 at 02:11P
At: Notary Public
No Label Recordable
Document Number: 01154164
Record: 32-00
Receipt Number: 469521
By: Becky Wright