

AFTER RECORDING, RETURN TO:
BAIRD, CREWS, SCHILLER & WHITAKER, P.C.
15 North Main Street
Temple, Texas 76501

SUPPLEMENTAL DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS OF
SOUTH POINTE HOMEOWNERS' ASSOCIATION,
A TEXAS NONPROFIT PROPERTY OWNERS' ASSOCIATION, OF
SOUTH POINTE,
AN ADDITION TO BELL COUNTY, TEXAS –
ANNEXATION OF SOUTH POINTE PHASE II,
("SUPPLEMENTAL DECLARATION")

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BELL §

KIELLA DEVELOPMENT, INC., a Texas corporation ("KDI") is the Declarant under that certain 'Declaration of Covenants, Conditions and Restrictions for South Pointe Homeowners' Association, a Texas nonprofit property owners' association', duly recorded as Document Number 2019-9426, and re-recorded under Document Number 2019-10422, Official Public Records of Real Property, Bell County, Texas. The South Pointe Homeowners' Association Notice of Dedicatory Instruments is duly recorded in document number 2019-10612, Official Public Records of Real Property of Bell County, Texas (the "Association").

The Association was formed to exercise the functions of a property owners' association and to enforce the covenants of any and all governing documents that affect the use of the subdivision known as South Pointe (the "Subdivision") and/or the Association, all in accordance with the terms and provisions of the Declaration.

The Developer is the owner of land neighboring and adjacent to properties governed by the Association, which land is described as:

A 12.964 Acre tract of land located in the Maximo Moreno Survey, Bell County, Texas, being more particularly described in Exhibit "A" ("Annexed Property"); also known as:

Lots One thru Forty-two (1-42), Block One (1), Lots One thru Thirty (1-30), Block Two (2), and Tract A, all in South Pointe Phase II, a subdivision in the City of Temple, Bell County, Texas, according to the map or plat of record in Plat Year 2019, Plat #150, Plat Records of Bell County, Texas.

The Declaration provides that Declarant may, without the consent of any other Owner, annex additional lands within the scheme of the Association and make such additional lands subject to the terms and provisions of the Governing Documents (as that term is defined in the Texas Property Code) of the Association.

SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SOUTH POINTE HOMEOWNERS' ASSOCIATION, A TEXAS NONPROFIT PROPERTY OWNERS' ASSOCIATION, AND OF SOUTH POINTE, AN ADDITION IN BELL COUNTY, TEXAS - ANNEXATION OF SOUTH POINT PHASE II

This Supplemental Declaration is executed by the Declarant (1) as Declarant, to annex the Annexed Property into the Association and bring such property within the scheme of the Governing Documents, and (2) as owner of the Annexed Property, to acknowledge that the Annexed Property will be annexed into the Association and will be subject to the Governing Documents.

All words that are undefined in this Supplemental Declaration but which are defined under Article 1 of the Declaration and used in this Supplemental Declaration will have the same meaning as the words defined in the Declaration.

WITNESS THE EXECUTION HEREOF, on January 17, ~~2019~~, ²⁰²⁰

Declarant:

KIELLA DEVELOPMENT, INC.
A Texas corporation

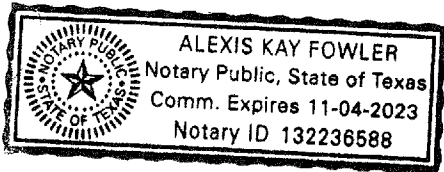
By: [Signature]
John R. Kiella, President

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me on January 17, ~~2019~~, ²⁰²⁰ by John R. Kiella in his capacity as President of KIELLA DEVELOPMENT, INC., a Texas corporation, on behalf of said corporation.

[Signature]
NOTARY PUBLIC



PREPARED IN THE LAW OFFICE OF:
BAIRD, CREWS, SCHILLER & WHITAKER, P.C.
ATTN: Juli A. Bryan/ sag
15 North Main Street
Temple, Texas 76501
www.bcswlaw.com

SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SOUTH POINTE HOMEOWNERS' ASSOCIATION, A TEXAS NONPROFIT PROPERTY OWNERS' ASSOCIATION, AND OF SOUTH POINTE, AN ADDITION IN BELL COUNTY, TEXAS - ANNEXATION OF SOUTH POINT PHASE II

19-976

BEING a 12.964 acre tract of land situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 25.000 acre tract of land described in a Special Warranty Deed with Vendor's Lien dated April 21, 2017 from J & P Oil and Gas, Inc., a Texas Corporation to Kiella Land Investments, Ltd., a Texas Limited Partnership and being of record in Document No. 2017-00016254, Official Public Records of Bell County, Texas and being a part or portion of that certain remainder 76.558 acre tract of land described in a Special Warranty Deed with Vendor's Lien dated April 21, 2017 from J & P Oil and Gas, Inc., a Texas Corporation to Kiella Land Investments, Ltd., a Texas Limited Partnership and being of record in Document No. 2017-00016255, Official Public Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap stamped "RPLS 2475" found being the northwest corner of Lot 1, Block 5, South Pointe, Phase I according to the map or plat of record in Year 2017, Plat No. 159, Plat records of Bell County, Texas and being in the east right-of-way line of Alton Road as described in said Plat No. 159 and being in the south boundary line of the said 25.000 acre tract for corner;

THENCE departing the said south boundary line and the said Lot 1, Block 5 and with the said east right-of-way line and over and across the said 25.000 acre tract the following ten (10) calls:

- 1) N. 21° 58' 46" E., 116.44 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 2) S. 73° 22' 51" E., 10.15 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 3) N. 16° 37' 09" E., 50.00 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 4) N. 73° 22' 51" W., 10.70 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found being at the beginning of a curve to the left having a radius equals 425.00 feet, chord bearing equals N. 17° 29' 59" E., 13.06 feet for corner;
- 5) 13.06 feet along the arc of said curve to the left to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 6) N. 16° 37' 09" E., 220.94 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 7) S. 73° 22' 51" E., 10.50 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 8) N. 16° 37' 09" E., 50.00 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 9) N. 73° 22' 51" W., 10.50 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 10) N. 16° 37' 09" E., 117.00 feet to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;

THENCE S. 73° 22' 51" E., 679.17 feet departing the said east right-of-way line and over and across the said 25.000 acre tract and continuing over and across the said remainder 76.558 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being at the beginning of a curve to the right having a radius equals 342.00 feet, chord bearing equals S. 49° 19' 15" E., 278.86 feet for corner;

THENCE continuing over and across the said remainder 76.558 acre tract the following four (4) calls:

- 1) 287.23 feet along the arc of said curve to the right to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;
- 2) S. 25° 15' 38" E., 62.41 feet to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;

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TURLEY ASSOCIATES, INC.

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 ENGINEERING FIRM #1658 SURVEY FIRM #10056000

19-976

- 3) S. 27° 44' 25" E., 100.70 feet to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;
- 4) S. 08° 11' 33" W., 148.41 feet to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;
- 5) S. 27° 03' 39" W., 191.13 feet to a 1/2" iron rod with cap stamped "RPLS 2475" set being in the south boundary line of the said remainder 76.558 acre tract and being in the north boundary line of that certain 26.36 acre tract of land (FIRST TRACT) described in a Deed dated March 25, 1970 from J. Frank Tucker and wife, Mable M. Tucker to R. T. Wall and wife Ira Louise Wall and being of record in Volume 1082, Page 328, Deed Records of Bell County, Texas

THENCE N. 72° 55' 10" W., 487.67 feet with the said south boundary line and the said north boundary line to a 1/2 iron rod found being the northwest corner of the said 26.36 acre tract and being the northeast corner of that certain 5.30 acre tract of land referenced in a Deed Without Warranty dated September 9, 1999 from the Tax Appraisal District of Bell County, Trustee to Alton L. Sheppard, Sr. and being of record in Volume 4078, Page 198, Official Public Records of Bell County, Texas for corner;

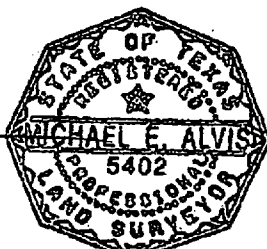
THENCE N. 73° 57' 20" W., 320.00 feet departing the said 26.36 acre tract and with the north boundary line of the said 5.30 acre tract and with the south boundary line of the said remainder 76.558 acre tract and continuing with the south boundary line of the aforementioned 25.000 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" found being the northwest corner of the said 5.30 acre tract and being the northeast corner of the aforementioned Lot 1, Block 5, South Pointe, Phase I for corner;

THENCE N. 73° 33' 18" W., 235.88 feet departing the said 5.30 acre tract and with the north boundary line of the said Lot 1, Block 5 and continuing with the south boundary line of the said 25.000 acre tract to the Point of BEGINNING and containing 12.964 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.



Michael E. Alvis, R.P.L.S. #5402
June 27, 2019



NOTE: THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 31
THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 32' 47"
THE COMBINED CORRECTION FACTOR (CCF) IS 0.999851
PUBLISHED CITY COORDINATES ARE N = 10,360,310.53 E = 3,236,600.50
THE TIE FROM THE ABOVE CITY MONUMENT TO THE POB OF THE 86,590 ACRE TRACT IS
N. 29° 34' 40" W., 1603.44 FEET.
GRID DISTANCE = SURFACE DISTANCE X CCF
GEODETIC NORTH = GRID NORTH + THETA ANGLE

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ENGINEERING FIRM #1658 SURVEY FIRM #10056000



**Bell County
Shelley Coston
County Clerk
Belton, Texas 76513**

Instrument Number: 2020004795

As

DECLARATION

Recorded On: January 31, 2020

Parties: KIELLA DEVELOPMENT INC

To SOUTH POINTE HOMEOWNERS ASSOCIATION

Comment:

Billable Pages: 4

Number of Pages: 5

(Parties listed above are for Clerks' reference only)

**** Examined and Charged as Follows ****

CLERKS RMF:	\$5.00
COURT HOUSE SECURITY:	\$1.00
RECORDING:	\$17.00
Total Fees:	\$23.00

******* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *******

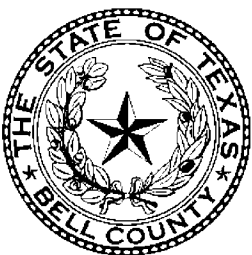
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information

Instrument Number: 2020004795
 Receipt Number: 100982
 Recorded Date/Time: 01/31/2020 8:37:46 AM
 User / Station: mcleanjl - BCCCD0735

Record and Return To:

Baird Crews Schiller and Whitaker PC
 15 N MAIN ST
 TEMPLE, TX 76501-7629



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
 Bell County Clerk