

**** Electronically Filed Document ****

Denton County
Juli Luke
County Clerk

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Parties:

Direct- TVG TEXAS I LLC
Indirect-

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***** 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.



THE STATE OF TEXAS)
COUNTY OF DENTON)

I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke

County Clerk
Denton County, Texas

AFTER RECORDING RETURN TO:



Carey Gunn Venditti, Esq.
GREENBERG TRAUIG, LLP
300 West 6th Street, Suite 2050
Austin, Texas 78701
Email: vendittic@gtlaw.com



NOTICE OF APPLICABILITY
[PHASE 1C]

DECLARANT: TVG TEXAS I, LLC, a Texas limited liability company

Neighborhood: B

Cross reference to Windsong Ranch Master Covenant, recorded as Document No. 2014-20239 in the Official Public Records of Denton County, Texas, as amended; that certain Development Area Declaration [Residential], recorded as Document No. 2014-20637 in the Official Public Records of Denton County, Texas, as amended; and that certain Windsong Ranch Amended and Restated Community Enhancement Covenant, recorded as Document No. 2015-16009 in the Official Public Records of Denton County, Texas.



NOTICE OF APPLICABILITY
[PHASE 1C]

This Notice of Applicability of the Windsong Ranch Master Covenant, the Windsong Ranch Development Area Declaration [*Residential*], and the Windsong Ranch Amended and Restated Community Enhancement Covenant (this “**Notice**”), is made and executed by **TVG TEXAS I, LLC**, a Texas limited liability company (“**Declarant**”) and is as follows:

1. Applicability of Master Covenant. This Notice is Recorded with respect to Lots 4 through 15, Block G; and Lots 4 through 38, Block I in Windsong Ranch Phase 1C, a subdivision located in Denton County, Texas according to the map or plat recorded in Document No. 2016-104 in the Plat Records of Denton County, Texas (the “**Development Area**”). Pursuant to that certain Windsong Ranch Master Covenant, recorded as Document No. 2014-20239 in the Official Public Records of Denton County, Texas, as amended (the “**Master Covenant**”), Declarant served notice that portions of the property described on Exhibit “A” to the Master Covenant, upon the Recording of appropriate Notices of Applicability from time to time, may be made a part of the Development and thereby fully subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Master Covenant.

2. Applicability of Development Area Declaration. Pursuant to that certain Master Covenant and the Windsong Ranch Development Area Declaration [*Residential*], recorded as Document No. 2014-20637 in the Official Public Records of Denton County, Texas, as amended (the “**Development Area Declaration**”), Declarant served notice that portions of the property described on Exhibit “A” to the Master Covenant, upon the filing of appropriate Notices of Applicability from time to time, may be subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of certain Development Area Declarations, as amended, modified or supplemented from time to time. Pursuant to this Notice, the Development Area is subject to the terms and provisions of the Development Area Declaration.

3. Applicability of Community Enhancement Covenant. Pursuant to that certain Windsong Ranch Amended and Restated Community Enhancement Covenant, recorded as Document No. 2015-16009 in the Official Public Records of Denton County, Texas, as amended (the “**Community Covenant**”), Declarant served notice that portions of the property described on Exhibit “A” to the Community Covenant, upon the Recording of appropriate Notices of Applicability from time to time, may be subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Community Covenant. Pursuant to this Notice, the Development Area is subject to the terms and provisions of the Community Covenant.

4. **Development Area.** The Development Area described and identified in *Paragraph 1* hereinabove will constitute one of the Development Areas which is permitted, contemplated and defined under the Master Covenant.

5. **Property Incorporated Into Development.** The provisions of the Master Covenant, the Development Area Declaration, and the Community Covenant shall apply to the Development Area. The Development Area is hereby included within and made a part of the Development, and is hereby subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Master Covenant and the Development Area Declaration.

6. **Designation of Neighborhood.** Pursuant to *Section 3.02* of the Master Covenant, the Development Area shall be within Neighborhood B, and subject to all terms and provisions of the Master Covenant which relate to Neighborhoods so designated within the Development.

7. **Miscellaneous.** This notice constitutes a Notice of Applicability under *Section 9.05* of the Master Covenant. Any capitalized terms used and not otherwise defined in this Notice shall have the meanings set forth in the Master Covenant.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the 10th day of March, 2016.

DECLARANT:

TVG TEXAS I, LLC, a Texas limited liability company

By: BP-Terra Verde Investors, LLC, a Delaware limited liability company, its Sole Member

By: Terra Verde BP Manager, LLC, a Delaware limited liability company, its Managing Member

By: [Signature]
D. Craig Martin, Manager

THE STATE OF TEXAS §
 §
COUNTY OF Denton §

This instrument was acknowledged before me on this 10th day of March, 2016, by D. Craig Martin, Manager of Terra Verde BP Manager, LLC, a Delaware limited liability company, Managing Member of BP-Terra Verde Investors, LLC, a Delaware limited liability company, Sole Member of TVG TEXAS I, LLC, a Texas limited liability company, on behalf of said companies.

[Signature]
Notary Public, State of Texas

(seal)



