

Hand Title

4000412301350 RESTRICTIVE COVENANT

THIS RESTRICTIVE COVENANT ("Covenant") is made this 12th day of November, 2024 (the "Effective Date"), by **VILLAGES RESORT CLUB**, a Texas non-profit unincorporated association and duly appointed attorney-in-fact as described in that certain Notice of Appointment of Attorney-in-Fact recorded on July 18, 2024 in the Public Records of Smith County, Texas at Clerk's File No. 202401020472 ("Villages Resort Club") and **SILVERLEAF RESORTS, LLC**, a Texas limited liability company ("Silverleaf") (collectively, the "Parties").

WITNESSETH:

WHEREAS, Villages Resort Club is the duly appointed attorney-in-fact of certain fee simple owners of that certain real property located in Smith County, Texas, and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "**Club Property**") and Silverleaf is the owner in fee simple of that certain real property located in Smith County, Texas, and legally described in **Exhibit "B"** attached hereto and incorporated herein (the "**Silverleaf Property**") (collectively, the "**Properties**");

WHEREAS, Holiday Inn Club Vacations Incorporated, f/k/a Orange Lake Country Club, Inc. ("**HICV**") is the sole member of SL Resort Holdings, LLC, which is sole member of Silverleaf Resorts, LLC and HICV is the developer of that certain timeshare resort known as Holiday Inn Club Vacations Villages Resort and located at 18270 Singing Wood Lane, Flint, Texas 75762 (as currently existing and as may be further developed in the future, the "**Resort**");

WHEREAS, the Resort is nearby the Properties, and the Parties and HICV desire to preclude the development of the Properties as a timeshare project and the further preclude the marketing and sale of timeshare from the Properties by any entity other than Silverleaf or HICV; and

WHEREAS, the Parties intend to convey their respective Properties and both desire to record this Covenant to prohibit the creation of a timeshare regime upon the Properties or the marketing of timeshare or any similar product from the Properties, as more particularly set forth herein.

NOW, THEREFORE, the Parties do hereby submit the Properties to the terms of this Covenant, such that the Properties shall be owned, held, transferred, sold, and conveyed subject to this Covenant.

1. **Timeshare Restriction.** No "timeshare plan", as such term is defined in Texas Property Code § 221.002 shall be created on any portion of the Properties, and no portion of the Properties may be used for the development, sale or resale or marketing of (i) any "timeshare interest", as such term is defined in Texas Property Code § 221.002 or (ii) any vacation club or travel club (or similar arrangement) as currently contemplated by Florida Statutes §721.52 which may be similarly enacted in the future in Texas, or for the marketing or sale of any exit, termination

or cancellation product or service relative to any of the foregoing other than by HICV or its assigns, even if such timeshare interest, vacation club or travel club (or similar arrangement) is located on or at real property other than the Properties or consists of personal property not located on the Properties.

2. **Beneficiary.** The Parties and HICV, their successors and assigns, are intended third-party beneficiaries of this Covenant.

3. **Use of Name.** The use by any future owner and user(s) of the Properties of the names "Orange Lake", "Silverleaf" or "Holiday Inn Club Vacations", or any derivations thereof, in the name of any future development on the Properties or the advertising thereof is prohibited.

4. **Successors and Assigns; Scope.** This Covenant shall run with title to the Properties, and shall bind the owners thereof, their respective successors and assigns.

5. **Waiver.** Any failure to enforce any provision contained in this Covenant shall in no way be deemed a waiver of the right to do so thereafter.

6. **Section Headings.** The headings preceding the sections of this Covenant are for convenience only and shall not be considered in the construction or interpretation of this Covenant.

7. **Severability.** In case any one or more of the provisions contained in this Covenant shall for any reason be held to be invalid, illegal or unenforceable in any respect, this invalidity, illegality or unenforceability shall not affect any other provision of this Covenant and a valid, legal and enforceable provision shall be agreed upon by the Parties and become a part of the Covenant in lieu of the invalid, illegal or unenforceable provision or in the event a valid, legal and unenforceable provision cannot be crafted, this Covenant shall be construed as if the invalid, illegal or unenforceable provision had never been contained herein.

8. **Governing Law; Time of Essence.** This Covenant shall be governed by and construed and enforced under the internal laws of the State of Texas without giving effect to the rules and principles governing the conflicts of laws. Time is of the essence of this Covenant.

9. **Enforcement.** The Parties and HICV shall be entitled to all remedies available at law and equity, including without limitation specific performance, in order to enforce any provision of this Covenant.

10. **Amendment & Termination.** This Covenant may only be amended or terminated (in whole or in part as to portion of the Properties) by the written consent of the Parties, its successors or assigns, and the current owner of the Properties.

11. **Attorney Fees and Costs.** In connection with any litigation or claim arising out of this Covenant, or the breach, enforcement or interpretation of this Covenant, the prevailing party

shall be entitled to recover from the party not prevailing the prevailing party's reasonable costs and attorney fees, paralegal fees and expert fees incurred at trial, retrial, on appeal, at hearings and rehearings, and in all administrative, bankruptcy and reorganization proceedings.

IN WITNESS WHEREOF, the undersigned has executed this Covenant the Effective Date first written above.

[Signature]
Witness

Print name: Yolanda N. Hernandez

[Signature]
Witness

Print name: Lindsey Cook

Villages Resort Club

VILLAGES RESORT CLUB,
a Texas nonprofit unincorporated
association

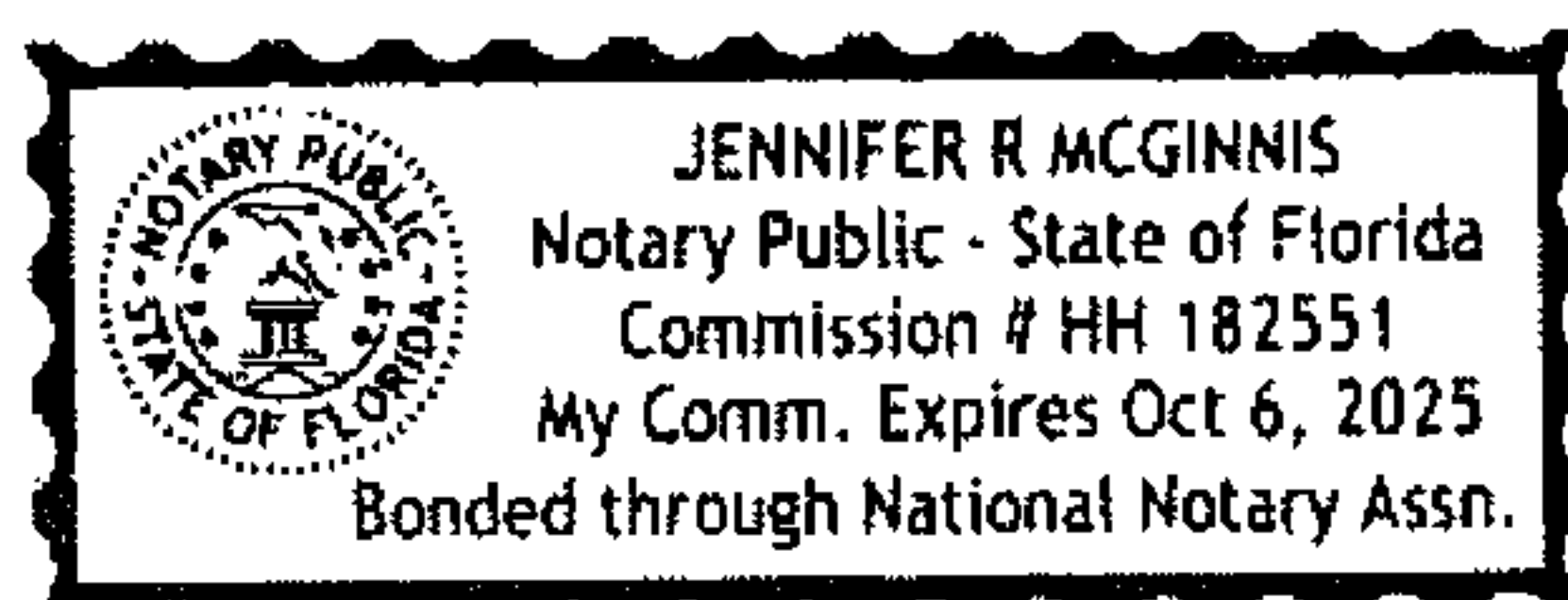
By: [Signature]

Print name: Brian T. Lower

As its: Director

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12 day of November, 2024, by Brian T. Lower, as Director of **VILLAGES RESORT CLUB**, a Texas nonprofit unincorporated association, on behalf of said association. Said person (check one) ☒ is personally known to me, ☐ produced a valid driver's license (issued by a state of the United States within the last five (5) years) as identification, or ☐ produced other identification, to wit: _____.



[Signature]
Print Name: Jennifer R. McGinnis
Notary Public, State of Florida

[Signature]
Witness

Print name: Yolanda N. Hernandez

[Signature]
Witness

Print name: Lindsey Cook

Silverleaf

SILVERLEAF RESORTS, LLC,
a Texas limited liability company

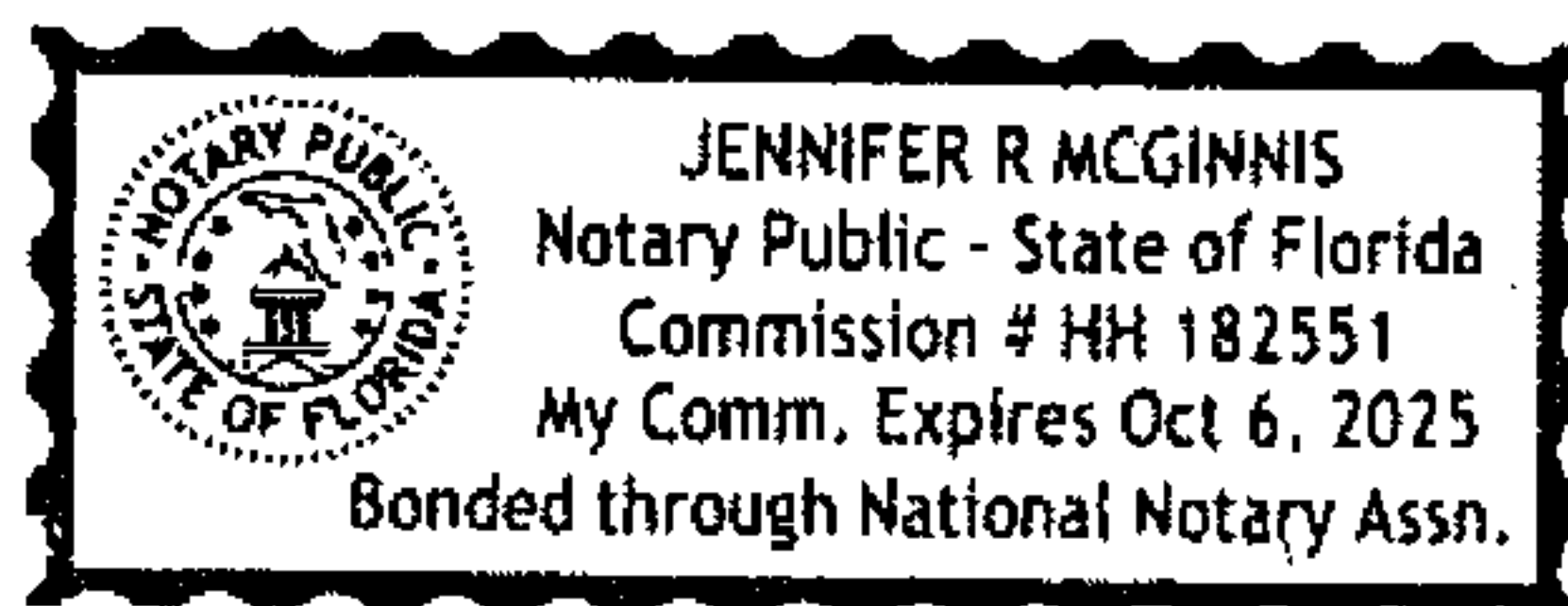
By: [Signature]

Print name: Michael J. Thompson

As its: Senior Vice President

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12 day of November, 2024, by Michael J. Thompson, as Senior Vice President of **SILVERLEAF RESORTS, LLC**, a Texas limited liability company, on behalf of said company. Said person (check one) ☒ is personally known to me, ☐ produced a valid driver's license (issued by a state of the United States within the last five (5) years) as identification, or ☐ produced other identification, to wit: _____.



[Signature]
Print Name: Jennifer R. McGinnis
Notary Public, State of Florida

Exhibit "A"
Club Property Legal Description

Tract 1:

*Legal Description - Lake O' The Woods
The Villages Condoshare Phase 11 Area - 4.314 Acres
Ascension Resorts, Ltd.
J. Acosta Survey A-1
Smith County, Texas*

ALL THAT CERTAIN lot, tract, or parcel of land situated within the J. M. Acosta Survey, Abstract 1, Smith County, Texas and being the residue of a called 236.4109 acre tract (Tract 11) described in a deed to Ascension Resorts, Ltd. recorded in Volume 2915, Page 215 in the Deed Records of Smith County, Texas and being all of the Amended Preliminary Plat of Dogwood Shores at the Villages, The Villages Condoshare Phase 11, recorded in Cabinet B, Slide 314-D in the Plat Records of Smith County, Texas and being more completely described as follows:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of said Phase 11, same being the most northerly northeast corner of a called 5.445 acre tract described in a deed to John Christopher Herry, et ux, recorded in Volume 7452, Page 267 in said Deed Records and being in the south right of way line of Pintail Drive (60 feet right of way per Tealwood Subdivision, Phase 1, recorded in Cabinet B, Slide 281-B in said Plat Records) and being in a non-tangent curve to the right;

THENCE along the north line of said Phase 11 and said south right of way line as follows:

Along said curve to the right having a Delta of 09 deg. 44 min. 57 sec., a Radius of 1,742.33 feet, an Arc distance of 296.47 feet and a Chord which bears South 83 deg. 39 min. 40 sec. East a distance of 296.11 feet to a 1/2 inch iron rod set for corner at the end of said curve,

South 78 deg. 47 min. 12 sec. East, a distance of 217.21 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the left;

Along said curve to the left having a Delta of 07 deg. 23 min. 22 sec., a Radius of 1,755.43 feet, an Arc distance of 226.40 feet and a Chord which bears South 82 deg. 29 min. 28 sec. East a distance of 226.24 feet to a 1/2 inch iron rod set for corner at the end of said curve,

THENCE South 00 deg. 11 min. 42 sec. West across said residue of said 263.4109 acre tract and the east line of said Phase 11, a distance of 202.57 feet to a 1/2 inch iron rod set for the southeast corner of said Phase 11,

*THENCE across said residue of said 263.4109 acre tract and the south line of said Phase 11 as follows:
South 87 deg. 31 min. 28 sec. West, a distance of 601.30 feet to a 1/2 inch iron rod set for corner, and*

North 48 deg. 06 min. 13 sec. West, a distance of 171.24 feet to a 1/2 inch iron rod set for corner in the west line of said Phase 11, same being the east line of a called 6.58 acre tract described in a deed to Upper Neches River Municipal Water Authority, recorded in Volume 1256, Page 232 in said Deed Records and being the lake line (called 355' elevation) for Lake Palestine;

THENCE along said west line and said east line as follows:

North 39 deg. 32 min. 54 sec. East, a distance of 60.00 feet to a T Bar found for corner, and

North 13 deg. 22 min. 08 sec. West, a distance of 177.23 feet to the PLACE OF BEGINNING containing 4.314 acres of land.

Tract 2:

Legal Description - Lake O' The Woods
 The Villages Condoshare Phase 12 Area - 4.708 Acres
 Ascension Resorts, Ltd.
 J. Acosta Survey A-1
 Smith County, Texas

ALL THAT CERTAIN lot, tract, or parcel of land situated within the J. M. Acosta Survey, Abstract 1, Smith County, Texas and being the residue of a called 236.4108 acre tract (Tract 11) described in a deed to Ascension Resorts, Ltd. recorded in Volume 2915, Page 215 in the Deed Records of Smith County, Texas and being all of the Preliminary Plat, Lake O' The Woods at the Villages, Phase 12, recorded in Cabinet B, Slide 314-C in said Plat Records and being more completely described as follows:

BEGINNING at a PK Nail set for the most northerly northeast corner of said Phase 12 and being in the south right of way line of Pintail Drive (60 feet right of way per Tealwood Subdivision, Phase 1 recorded in Cabinet B, Slide 281-B in said Plat Records) from which a 1/2 inch iron rod found for the northwest corner of Lot 13, Tealwood Subdivision, Phase II recorded in Cabinet B, Slide 396-C in the Plat Records of Smith County, Texas bears, North 88 deg. 12 min. 12 sec. East, a distance of 153.37 feet;

THENCE South 01 deg. 57 min. 36 sec. East along the most northerly east line of said Phase 12, a distance of 278.60 feet to a 1/2 inch iron rod set for found for an old corner in same;

THENCE North 88 deg. 02 min. 24 sec. East along the most easterly north line of said Phase 12, a distance of 150.74 feet to a 1/2 inch iron rod found for the most easterly northeast corner of said Phase 12, same being the southwest corner of said Lot 13, and being in the west line of the residue of a called 10.00 acre tract described in a deed to Ascension Resorts, Ltd. recorded in Volume 3066, Page 407 in said Deed Records;

THENCE South 01 deg. 57 min. 36 sec. East along the east line of said Phase 12 and said west line, a distance of 499.91 feet to a 1/2 inch iron rod found for the southeast corner of said Phase 12 and the southwest corner of said 10.00 acre tract and being in the north line of a called 40.5 acre tract (Tract A) described in a deed to Ascension Resorts, Ltd., recorded in said Volume 3066, Page 407 in said Deed Records;

THENCE South 88 deg. 04 min. 38 sec. West along the south line of said Phase 12 and said north line, passing a 1/2 inch iron rod found for the northwest corner of said 40.5 acre tract at 142.35 feet, continuing along said south line for a total distance of 382.69 feet to a 1/2 inch iron rod set for the southwest corner of said Phase 12;

THENCE across said residue of 236.4108 acre tract and with the west and most westerly north line of said Phase 12 as follows:

North 01 deg. 57 min. 36 sec. West, a distance of 429.66 feet to a 1/2 inch iron rod set for corner,

North 47 deg. 47 min. 28 sec. East, a distance of 108.34 feet to a 1/2 inch iron rod set for corner,

North 88 deg. 02 min. 24 sec. East, a distance of 89.26 feet to a 1/2 inch iron rod set for corner, and

North 01 deg. 57 min. 36 sec. West, a distance of 278.77 feet to a 1/2 inch iron rod set for the most northerly northwest corner of said Phase 12 and being in the south right of way line of said Pintail Drive,

THENCE North 88 deg. 12 min. 12 sec. East along the north line of said Phase 12 and said south right of way line, a distance of 60.00 feet to the PLACE OF BEGINNING containing 4.708 acres of land.

Exhibit "B"
Silverleaf Property Legal Description

Tract 3:

*Legal Description - Lake O' The Woods
Remainder No. 3 Area - 0.972 Acres
Ascension Resorts, Ltd.
J. Acosta Survey A-1
Smith County, Texas*

ALL THAT CERTAIN lot, tract, or parcel of land situated within the J. M. Acosta Survey, Abstract 1, Smith County, Texas and being the residue of a called 236.4109 acre tract (Tract 11) described in a deed to Ascension Resorts, Ltd. recorded in Volume 2915, Page 215 in the Deed Records of Smith County, Texas and being more completely described as follows:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of Lot 13, Tealwood Subdivision, Phase II recorded in Cabinet B, Slide 398--C in the Plat Records of Smith County, Texas and being in the south right of way line of Pintail Drive (60 feet right of way per Tealwood Subdivision, Phase I recorded in Cabinet B, Slide 281-B in said Plat Records);

THENCE South 01 deg. 25 min. 07 sec. East along the west line of said Lot 13, a distance of 278.17 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 13, same being the most easterly northeast corner of the Preliminary Plat Lake O' The Woods at the Villages, The Villages Condominium, Phase 12, recorded in Cabinet B, Slide 314-C in the Plat Records of Smith County, Texas and being in the west line of the residue of a called 10.00 acre tract described in a deed to Ascension Resorts, Ltd. recorded in Volume 3066, Page 407 in said Deed Records;

THENCE South 88 deg. 02 min. 24 sec. West along the most easterly north line of said Phase 12, a distance of 150.74 feet to a 1/2 inch iron rod set for corner;

THENCE North 01 deg. 57 min. 36 sec. West along the most northerly east line of said Phase 12, a distance of 278.60 feet to a 1/2" inch iron rod set for corner in the south right of way line of said Pintail Drive and being the most northerly northeast corner of said Phase 12;

THENCE North 88 deg. 12 min. 12 sec. East along said south right of way line, a distance of 153.37 feet to the PLACE OF BEGINNING containing 0.972 acres of land.

Tract 4:

*Legal Description - Lake O' The Woods
Remainder No. 4 Area - 20.534 Acres
Ascension Resorts, Ltd.
J. Acosta Survey A-1
Smith County, Texas*

ALL THAT CERTAIN lot, tract, or parcel of land situated within the J. M. Acosta Survey, Abstract 1, Smith County, Texas and being the residue of a called 236.4109 acre tract (Tract 11) described in a deed to Ascension Resorts, Ltd. recorded in Volume 2915, Page 215 in the Deed Records of Smith County, Texas and being more completely described as follows:

BEGINNING at a 1/2 inch iron rod set in the south right of way line of Pintail Drive (60 feet right of way per Tealwood Subdivision, Phase 1 recorded in Cabinet B, Slide 281-B in said Plat Records) and being the most northerly northwest corner of the Preliminary Plat Lake O' The Woods at the Villages, The Villages Condashore, Phase 12, recorded in Cabinet B, Slide 314-C in the Plat Records of Smith County, Texas from which a 1/2 inch iron rod found for the northwest corner of Lot 13, Tealwood Subdivision, Phase II recorded in Cabinet B, Slide 396-C in said Plat Records), bears North 88 deg. 12 min. 12 sec. East, a distance of 213.37 feet;

THENCE across said residue of 236.4109 acre tract and along the west and south line of said Phase 12 as follows:

South 01 deg. 57 min. 36 sec. East, a distance of 278.77 feet to a 1/2 inch iron rod set for corner,

South 88 deg. 02 min. 24 sec. West, a distance of 89.26 feet to a 1/2 inch iron rod set for corner,

South 47 deg. 47 min. 28 sec. West, a distance of 108.34 feet to a 1/2 inch iron rod set for corner,

South 01 deg. 57 min. 36 sec. East, a distance of 429.66 feet to a 1/2 inch iron rod set for corner, and

North 88 deg. 04 min. 38 sec. East, a distance of 240.34 feet to a 1/2 inch iron rod found for the northwest corner of a called 40.5 acre tract (Tract A) described in a deed to Ascension Resorts, Ltd., recorded in Volume 3066, Page 407 in said Deed Records;

THENCE South 01 deg. 58 min. 20 sec. East along the west line of said 40.5 acre tract, a distance of 208.81 feet to a 1/2 inch iron rod found for corner in said west line and being the northeast corner of a called 3 acre tract described in a deed to Karen King McGuinn, et al recorded in Document Number 20180100015873 in said Deed Records;

THENCE South 88 deg. 01 min. 38 sec. West along the north line of said 3 acre tract passing the northwest corner of said 3 acre tract and the northeast corner of a called 9.8966 acre tract described in a deed to Ascension Resorts, Ltd. recorded in Volume 3084, Page 336 in said Deed Records and continuing along the north line of said 9.8966 acre tract a total distance of 877.11 feet to a 1/2 inch iron rod found for an outside ell corner in said north line;

THENCE South 02 deg. 09 min. 11 sec. East, a distance of 98.99 feet to a 1/2 inch iron rod found for an inside ell corner of said 9.8966 acre tract;

THENCE South 88 deg. 30 min. 33 sec. West continuing along said north line, a distance of 150.02 feet to a 1/2 inch iron rod found for an inside ell corner of said 9.8966 acre tract;

THENCE North 02 deg. 09 min. 52 sec. West passing an outside ell corner of said 9.8966 acre tract and the southeast corner of a 3 acre tract described in a deed to Karen King McGuinn, et al recorded in said Document Number 20180100015873 in said Deed Records and continuing a total distance of 411.62 feet to a 1/2 inch iron rod found for the northeast corner of said 3 acre tract;

THENCE South 87 deg. 49 min. 27 sec. West along the north line of said 3 acre tract, a distance of 361.50 feet to a X scribed near the center of a concrete basketball court for the northwest corner of said 3 acre tract;

THENCE South 02 deg. 12 min. 21 sec. East along the west line of said 3 acre tract, a distance of 201.75 feet to a 1/2 inch iron rod found in said west line and being an outside ell corner in the north line of said 9.8966 acre tract;

THENCE South 87 deg. 48 min. 59 sec. West along the north line of said 9.8966 acre tract, a distance of 360.71 feet to a 1/2 inch iron rod set in the east line of a called 6.58 acre tract described in a deed to Upper Neches River Municipal Water Authority recorded in Volume 1256, Page 232 in said Deed Records and being the lake line (called 355' elevation) for Lake Palestine;

THENCE along said east line and said take line as follows:

North 18 deg. 36 min. 17 sec. West, a distance of 51.44 feet to a 1/2 inch iron rod set for corner,

North 01 deg. 23 min. 17 sec. West, a distance of 209.30 feet to a 1/2 inch iron rod set for corner,

North 41 deg. 09 min. 43 sec. East, a distance of 145.90 feet to a 1/2 inch iron rod found for corner,

North 51 deg. 39 min. 46 sec. East, a distance of 163.33 feet to a 1/2 inch iron rod found for corner,

North 71 deg. 27 min. 33 sec. East, a distance of 174.38 feet to a 1/2 inch iron rod found for corner,

South 48 deg. 19 min. 04 sec. East, a distance of 146.18 feet to a T-Bar found for corner,

North 33 deg. 17 min. 45 sec. East, a distance of 99.76 feet to a 1/2 inch iron rod set for corner,

North 46 deg. 10 min. 41 sec. West, a distance of 182.00 feet to a 1/2 inch iron rod found for corner, and

North 39 deg. 32 min. 54 sec. East, a distance of 233.94 feet to a 1/2 inch iron rod set for the most westerly southwest corner of the Amended Preliminary Plot, Dogwood Shores at the Villages, The Villages Condominium Phase 11, recorded in Cabinet B, slide 314-D in said Plat Records,

THENCE across said residue of said 236.4109 acre tract and the south line of said Phase 11 as follows:

South 48 deg. 06 min. 13 sec. East, a distance of 171.24 feet to a 1/2 inch iron rod set for corner, and

North 87 deg. 31 min. 28 sec. East, a distance of 601.30 feet to a 1/2 inch iron rod set for the southeast corner of said Phase 11,

THENCE North 00 deg. 11 min. 42 sec. East along the east line of said Phase 11, a distance of 202.57 feet to a 1/2 inch iron rod set for the northeast corner of said Phase 11 being in the south right of way line of said Pintail Drive and being in a non-tangent curve to the left,

THENCE along said south right of way line and along said curve to the left having a Delta of 05 deg. 36 min. 28 sec., a Radius of 1,755.43 feet, an Arc distance of 171.90 feet and a Chord which bears South 88 deg. 59 min. 28 sec. East a distance of 171.83 feet to the PLACE OF BEGINNING containing 20.534 acres of land.

Tract 5:

Legal Description - Lake O' The Woods
Remainder No. 5 Area - 0.7759 Acres
Ascension Resorts, Ltd.
J. Acosta Survey A=1
Smith County, Texas

ALL THAT CERTAIN lot, tract, or parcel of land situated within the J. M. Acosta Survey, Abstract 1, Smith County, Texas and being the residue of a called 236.4109 acre tract (Tract 11) described in a deed to Ascension Resorts, Ltd. recorded in Volume 2915, Page 215 in the Deed Records of Smith County, Texas and being more completely described as follows:

BEGINNING at a 1/2 inch iron rod found for the most southerly southeast corner of a called 5.445 acre tract described in a deed to John Christopher Harry, et ux, recorded in Volume 7452, Page 267 in said Deed Records and being in a north line of a called 6.58 acre tract described in a deed to Upper Neches River Municipal Water Authority recorded in Volume 1256, Page 232 in said Deed Records and being the take line (called 355' elevation) for Lake Palestine;

THENCE along said take line as follows:

South 57 deg. 03 min. 37 sec. West, a distance of 99.48 feet to a 1/2 inch iron rod found for corner,

South 75 deg. 56 min. 27 sec. West, a distance of 327.46 feet to a 1/2 inch iron rod capped "Summit" set for corner, and

North 29 deg. 50 min. 17 sec. West, a distance of 137.67 feet to a point for corner at the intersection with the south line of said 5.445 acre tract,

THENCE North 88 deg. 15 min. 57 sec. East along said south line, a distance of 469.85 feet to the PLACE OF BEGINNING containing 0.7759 of an acre of land.

Tract 6:

Legal Description
 9.66 Acres
 Ascension Resorts, Ltd.
 J. M. Acosta Survey A-1
 Smith County, Texas

ALL TRACT CERTAIN ACRE TRACT, or parcel of land situated within the J. M. Acosta Survey, Abstract 7, Smith County, Texas and being all of the residue of a called 9.8966 acre tract described in a deed to Ascension Resorts, Ltd. recorded in Volume 3634, Page 136 in the Deed Records of Smith County, Texas and being more completely described as follows:

BEGINKING at a 1/2 inch iron rod found for the southeast corner of said 9.8966 acre tract, same being the southwest corner of a called 3 acre tract described in a deed to Karen King McGuinn, et al. recorded in Document Number 20180100015873 in said Deed Records and being in the north right of way line of County Road 191 (60 feet right of way);

THENCE South 87 deg. 59 min. 10 sec. West along the south line of said 9.8966 acre tract, passing a 1/2 inch iron rod set for reference at 986.43 feet, continuing a total distance of 1,006.43 feet to a point for corner in the east line of a called 8.58 acre tract described in a deed to Upper Neches River Municipal Water Authority recorded in Volume 1236, Page 232 in said Deed Records and being the lake line (called 385' elevation) for Lake Portaline;

THENCE along said lake line as follows:

North 27 deg. 39 min. 17 sec. West, a distance of 245.91 feet to a point for corner, and

North 18 deg. 16 min. 42 sec. West, a distance of 297.43 feet to a 1/2 inch iron rod set for corner in the north line of said 9.8966 acre tract,

THENCE North 87 deg. 48 min. 58 sec. East along said north line and across the residue of a called 236.4109 acre tract (Tract 11) described in a deed to Ascension Resorts recorded in Volume 2915, Page 215 in said Deed Records, a distance of 360.71 feet to a 1/2 inch iron rod found for an outside 84 corner of said 9.8966 acre tract and being in the east line of an another 3 acre tract described in a deed to Karen King McGuinn recorded in Document Number 20180700038173 in said Deed Records,

THENCE South 87 deg. 02 min. 20 sec. East along said east line and the east northerly east line of said 9.8966 acre tract, a distance of 158.56 feet to a 1/2 inch iron rod found for the southwest corner of said 3 acre tract, same being an inside 88 corner of said 9.8966 acre tract,

THENCE North 87 deg. 52 min. 23 sec. East along the south line of said 3 acre tract and a north line of said 9.8966 acre tract, a distance of 351.70 feet to a 1/2 inch iron rod set for the southeast corner of said 3 acre tract and being an outside 88 corner of said 9.8966 acre tract,

THENCE South 87 deg. 02 min. 52 sec. East with an east line of said 9.8966 acre tract and across said 236.4109 acre tract, a distance of 55.02 feet to a 1/2 inch iron rod found for an inside 88 corner of said 9.8966 acre tract,

THENCE North 88 deg. 30 min. 33 sec. East along a north line of said 9.8966 acre tract and continuing across said 236.4109 acre tract, a distance of 158.02 feet to a 1/2 inch iron rod found for an inside 88 corner of said 9.8966 acre tract,

THENCE North 82 deg. 08 min. 11 sec. West with a west line of said 9.8966 acre tract and continuing across said 236.4109 acre tract, a distance of 98.97 feet to a 1/2 inch iron rod found for an outside 88 corner of said 9.8966 acre tract,

THENCE North 88 deg. 01 min. 39 sec. East along a north line of said 9.8966 acre tract and continuing across said 236.4109 acre tract, a distance of 312.15 feet to a 1/2 inch iron rod found for the northwest corner of said 9.8966 acre tract and the northwest corner of aforementioned 3 acre tract (at the beginning of this description),

THENCE South 82 deg. 34 min. 34 sec. East along the east line of said 9.8966 acre tract and the west line of said 3 acre tract, a distance of 351.63 feet to the PLACE OF BEGINNING containing 9.66 acres of land.

Tract 7:

Legal Description
6.959 Acres
Ascension Resorts, Ltd.
J. M. Acosta Survey A-1
Smith County, Texas

ALL THAT CERTAIN lot, tract, or parcel of land situated within the J. M. Acosta Survey, Abstract 1, Smith County, Texas and being the residue of a called 10.00 acre tract (Tract B) described in a deed to Ascension Resorts, Ltd. recorded in Volume 3066, Page 407 in the Deed Records of Smith County, Texas and being more completely described as follows:

BEGINNING at a 1/2 inch iron rod found for the southwest corner of said 10.00 acre tract, same being in the most westerly north line of a called 40.5 acre tract (Tract A) described in said Volume 3066, Page 407 and being the most easterly southeast corner of the Preliminary Plat of Lake O' The Woods at the Villages, The Villages Condoshare Phase 12 recorded in Cabinet B, Slide 314-C in the Plat Records of Smith County, Texas;

THENCE North 01 deg. 57 min. 36 sec. West along the west line of said 10.00 acre tract and the east line of said Condoshare Phase 12, a distance of 499.91 feet to a 1/2 inch iron rod found for the most easterly northeast corner of said Condoshare Phase 12 and being the southwest corner of Lot 13 of Tealwood Phase II, recorded in Cabinet B, slide 396-C in said Plat Records;

THENCE North 87 deg. 54 min. 51 sec. East along the south lines of said Lot 13 and Lot 12 of said Tealwood Phase II, a distance of 353.67 feet to a 1/2 inch iron rod found for the southeast corner of said Lot 12;

THENCE North 04 deg. 48 min. 42 sec. East along the east line of said Lot 12, a distance of 112.15 feet to a 1/2 inch iron rod set for corner in same;

THENCE North 88 deg. 13 min. 23 sec. East along a south line of said Tealwood, Phase II and Lot 11, a distance of 194.23 feet to a 1/2 inch iron rod set for corner in the south line of said Lot 11 and being in the east line of said 10.00 acre tract and a west line of said 40.5 acre tract;

THENCE South 01 deg. 57 min. 36 sec. East along said east line and said west line, a distance of 611.44 feet to a 1/2 inch iron rod set for the southeast corner of said 10.00 acre tract, same being an inside ell corner of said 40.5 acre tract;

THENCE South 88 deg. 02 min. 24 sec. West along the south line of said 10.00 acre tract and the most westerly north line of said 40.5 acre tract, a distance of 561.12 feet to the PLACE OF BEGINNING containing 6.959 acres of land.

Tract 8:

Legal Description
 27.073 Acres
 Ascension Resorts, Ltd.
 J. M. Acosta Survey A-1
 Smith County, Texas

ALL THAT CERTAIN lot, tract, or parcel of land situated within the J. M. Acosta Survey, Abstract 1, Smith County, Texas and being the residue of a called 40.5 acre tract (Tract A) described in a deed to Ascension Resorts, Ltd. recorded in Volume 3066, Page 407 in the Deed Records of Smith County, Texas and being more completely described as follows:

BEGINNING at a 1/2 inch iron rod found for the southwest corner of said 40.5 acre tract, same being the southeast corner of a called 3 acre tract described in a deed to Karen King McGuinn, et al, recorded in Document Number 20180100015873 in said Deed Records and being in the north right of way line of County Road 191 (60 feet right of way);

THENCE North 02 deg. 03 min. 14 sec. West along the west line of said 40.5 acre tract and the east line of said 3 acre tract, a distance of 361.38 feet to a 1/2 inch iron rod found for the northeast corner of said 3 acre tract, same being the southeast corner of the Preliminary Plat of Lake O' The Woods at the Villages, The Villages Condoshare Phase 12 recorded in Cabinet B, Slide 314-C in the Plat Records of Smith County, Texas;

THENCE North 01 deg. 58 min. 20 sec. West continuing along said west line and an east line of said Condoshare Phase 12, a distance of 208.81 feet to a 1/2 inch iron rod found for the most westerly northwest corner of said 40.5 acre tract and being an inside ell corner of said Condoshare Phase 12;

THENCE North 88 deg. 04 min. 38 sec. East along the most westerly north line of said 40.5 acre tract and a south line of said Condoshare Phase 12, a distance of 142.35 feet to a 1/2 inch iron rod found in said north line, being the most easterly southeast corner of said Condoshare Phase 12 and being the southwest corner of a called 10.00 acre tract (Tract B) described in a deed to Ascension Resorts, Ltd. recorded in said Volume 3066, Page 407;

THENCE North 88 deg. 02 min. 24 sec. East along said north line and the south line of said 10.00 acre tract, a distance of 561.12 feet to a 1/2 inch iron rod set for an inside ell corner of said 40.5 acre tract and being the southwest corner of said 10.00 acre tract;

THENCE North 01 deg. 57 min. 36 sec. West along a west line of said 40.5 acre tract and the east line of said 10.00 acre tract, a distance of 611.44 feet to a 1/2 inch iron rod set for corner in the south line of Lot 11, Tealwood Phase II, recorded in Cabinet B, Slide 396-C in said Plat Records;

THENCE North 88 deg. 13 min. 23 sec. East along the south line of said Lot 11 and Lot 10 of said Tealwood, Phase II, a distance of 397.07 feet to a 1/2 inch iron rod found for corner in the west line of Lot 9, Tealwood Phase II;

THENCE South 01 deg. 47 min. 04 sec. East along said west line, a distance of 109.99 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 9;

THENCE North 88 deg. 09 min. 48 sec. East along the south line of Lot 9, and Lot 8, a distance of 349.88 feet to a 1/2 inch iron rod found for the southeast corner of said Lot 8, same being the northwest corner of Lot 5, Tealwood, Phase II;

THENCE across said 40.5 acre tract and along a west line of said Tealwood, Phase II as follows:

South 06 deg. 35 min. 40 sec. west, along the west line of said Lot 5, a distance of 156.67 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 5, same being the northwest corner of Lot 4,

South 01 deg. 52 min. 18 sec. East along the west line of said Lot 4, a distance of 155.23 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 4 and the northwest corner of Lot 3,

South 15 deg. 04 min. 05 sec. West, along the west line of said Lot 3, a distance of 161.41 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 3, same being the northwest corner of Lot 2,

South 02 deg. 07 min. 09 sec. East along the west line of said Lot 2, a distance of 158.67 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 2, same being in the north right of way line of Tealwood,

South 43 deg. 35 min. 55 sec. East across said Tealwood, a distance of 84.37 feet to a 1/2 inch iron rod found for the northwest corner of Lot 1, and

South 02 deg. 05 min. 08 sec. East along the west line of said Lot 1, a distance of 321.55 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 1 and being in the north right of way line of said County Road 191 (60 feet right of way, Volume 1306, Page 581),

THENCE North 88 deg. 02 min. 23 sec. East along the south line of said Lot 1 and said north right of way line, a distance of 159.99 feet to a 1/2 inch iron rod found for the southeast corner of said Lot 1 and being at the intersection with the west right of way line of County Road 1313 (60 feet right of way);

THENCE South 01 deg. 56 min. 41 sec. East across said County Road 191, a distance of 60.00 feet to a 1/2 inch iron rod set for corner in the south right of way line of said County Road 191, same being the north line of a called 25.01 acre tract owned by Nettie Battles Estate (per Smith County Appraisal District, no current deed found) and being in the south line of said 40.5 acre tract;

THENCE South 88 deg. 39 min. 54 sec. West along said south right of way line and said south line and the north line of said 25.01 acre tract, a distance of 527.79 feet to a 1/2 inch iron rod found for the northwest corner of said 25.01 acre tract and the northeast corner of a called 52.537 acre tract described in a deed to V-Point, LLC, recorded in Document Number 20170100020069 in said Deed Records;

THENCE South 87 deg. 38 min. 17 sec. West across said County Road 191 and along the north right of way line of said County Road 191 and the north line of said 52.537 acre tract and the south line of said 40.5 acre tract, a distance of 1,068.08 feet to the PLACE OF BEGINNING containing 27.899 acres of land, of which 0.826 of an acre lies within the right of way of said County Road 191, leaving a net of 27.073 acres of land.

Tract 9:

Legal Description
 19.657 Acres
 Ascension Resorts, Ltd.
 J. M. Acosta Survey 4-1
 Smith County, Texas

ALL THAT CERTAIN lot, tract, or parcel of land situated within the J. M. Acosta Survey, Abstract 1, Smith County, Texas and being a part of the residue of a called 240.6847 acre tract (Tract 11) described in a deed to Ascension Resorts, Ltd. recorded in Volume 2913, Page 215 in the Deed Records of Smith County, Texas and being more completely described as follows:

BEGINNING at a 1/2 inch iron rod found for the northeast corner of Lot 1, Teahwood Phase 1, recorded in Sublot B, Slide 281-B in the Plat Records of Smith County, Texas and being on the south line of T. 7 Co-War "2", N44-A-Way Bay 3 & 4 recorded in Volume 7, Page 93 in said Plat Records;

THENCE North 68 deg. 14 min. 04 sec. East along said south line and the south line of a tract described in a deed to J&J&J, Inc., recorded in Volume 2591, Page 837 in said Deed Records, a distance of 637.41 feet to a 1/2 inch iron rod set for the northwest corner of a called 1.87 acre tract described in a deed to the Upper Houston River Municipal Water Authority recorded in Volume 1256, Page 229 in said Deed Records.

THENCE South 13 deg. 43 min. 36 sec. East along the east line of said 1.87 acre tract, a distance of 96.32 feet to a 1/2 inch iron rod set for the northwest corner of a called 0.084 acre tract (Tract 1) described in a deed to the State of Texas recorded in Volume 2621, Page 203 in said Deed Records and being the east right of way line of State Highway 155;

THENCE South 11 deg. 05 min. 55 sec. West along the west line of said 0.084 acre tract and said west right of way line, a distance of 188.37 feet to a point for corner for the southeast corner of said 0.084 acre tract being at the intersection with the west line of said 1.87 acre tract;

THENCE along said west line as follows:

South 33 deg. 06 min. 42 sec. West, a distance of 106.87 feet to a 1/2 inch iron rod set for corner, and

South 17 deg. 32 min. 30 sec. East, a distance of 62.53 feet to a point for corner of the northwest corner of a called 0.545 acre tract (Tract 2) described in aforementioned Volume 2621, Page 203 and being to the west right of way line of said State Highway 155;

THENCE South 12 deg. 27 min. 58 sec. West along the west line of said 0.545 acre tract and said west right of way line, a distance of 465.87 feet to a point for corner of the intersection with the north line of a called 0.91 acre tract described aforementioned Volume 1256, Page 229;

THENCE along the north, west and south line of said 0.91 acre tract as follows:

South 85 deg. 47 min. 12 sec. West, a distance of 100.27 feet to a point for corner,

South 60 deg. 18 min. 37 sec. East, a distance of 84.59 feet to a point for corner, and

South 87 deg. 06 min. 48 sec. East, a distance of 86.47 feet to a point for corner being the northwest corner of a called 0.556 acre tract described in aforementioned Volume 2621, Page 203 and being to the west right of way line of said State Highway 155;

THENCE along the west line of said 0.556 acre tract and said west line and said west right of way line as follows:

South 11 deg. 42 min. 37 sec. West, a distance of 20.52 feet to a type 1 concrete right of way monument found for corner, and

South 04 deg. 48 min. 02 sec. West, a distance of 402.58 feet to a 1/2 inch iron rod set for corner at the intersection with the north right of way line of Teahwood (60 feet right of way);

THENCE along said north right of way line as follows:

North 83 deg. 37 min. 44 sec. West, a distance of 128.72 feet to a 1/2 inch iron rod set for corner at the beginning of a curve to the right;

Along said curve to the right having a Delta of 30 deg. 50 min. 00 sec., a Radius of 373.21 feet, an Arc distance of 144.00 feet and a chord which bears North 60 deg. 37 min. 44 sec. West, a distance of 162.13 feet to a 1/2 inch iron rod at the point of a reverse curve to the left having a Delta of 24 deg. 57 min. 14 sec., a Radius of 414.08 feet, an Arc distance of 100.60 feet and a Chord which bears North 68 deg. 08 min. 21 sec. West, a distance of 179.18 feet to a 1/2 inch iron rod set for corner;

North 24 deg. 34 min. 50 sec. West, a distance of 108.96 feet to a 1/2 inch iron rod set for corner of the intersection with the east right of way line of Postal Drive (County Road 1313, 60 feet right of way);

THENCE along said east right of way line as follows:

North 71 deg. 25 min. 03 sec. East, a distance of 471.59 feet to a 1/2 inch iron rod set for the beginning of a curve to the left, and

Along said curve to the left having a Delta of 43 deg. 28 min. 57 sec. West, a Radius of 217.81 feet, an Arc distance of 161.26 feet and a Chord which bears North 10 deg. 30 min. 28 sec. West, a distance of 161.34 feet to a 1/2 inch iron rod found being the southeast corner of said Lot 1;

THENCE North 13 deg. 36 min. 21 sec. East along the east line of said Lot 1, a distance of 624.36 feet to the PLACE OF BEGINNING containing 19.657 acres of land

Tract 10:

Lot 13 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002013000

Tract 11:

Lot 11 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002011000

Tract 12:

Lot 7 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002007000

Tract 13:

Lot 6 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002006000

Tract 14:

Lot 5 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002005000

Tract 15:

Lot 4 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002004000

Tract 16:

Lot 3 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002003000

Tract 17:

Lot 2 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002002000

Tract 18:

Lot 1 of Tealwood, Phase II, according to the map or plat thereof of record in Cabinet B, Slide 396-C, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000002001000

Tract 19:

Lot 11 of Tealwood, Phase I, according to the map or plat thereof of record in Cabinet B, Slide 281-B, of the Plat Records of Smith County, Texas.

Smith County Appraisal District Account Number: 179640000000011000

**Smith County
Karen Phillips
Smith County Clerk**

Document Number: 202401032727

eRecording - Real Property

RESTRICTION

Recorded On: November 13, 2024 12:17 PM

Number of Pages: 17

Billable Pages: 16

" Examined and Charged as Follows: "

Total Recording: \$85.00

******* 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:

Document Number: 202401032727

Receipt Number: 20241113000089

Recorded Date/Time: November 13, 2024 12:17 PM

User: Brenda C



**STATE OF TEXAS
COUNTY OF SMITH**

**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 Smith County, Texas.**

Karen Phillips
Smith County Clerk
Smith County, TX