

ELYSON  
**NOTICE OF APPLICABILITY**  
**[RESIDENTIAL]**  
**SECTION 18**

NOTE TO CLERK – Please cross reference to:

Elyson Master Covenant [Residential]

- Instrument No. 2016-80476

Elyson Development Area Declaration [Residential]

- Instrument No. 2016-192154

First Amendment to Elyson Development Area Declaration [Residential]

- Instrument No. 2018-47237

Second Amendment to Elyson Development Area Declaration [Residential]

- Instrument No. 2018-91963

STATE OF TEXAS  
COUNTY OF HARRIS

This Notice of Applicability is made and executed by NASH FM 529, LLC, a Delaware limited liability company ("Declarant") and is as follows:

1. **Applicability of Master Covenant.** This Notice of Applicability is Recorded with respect to that certain real property located in Harris County, Texas, as more particularly described on Exhibit "1" attached hereto (the "**Development Area**"). Pursuant to that certain Elyson Master Covenant [Residential], recorded as Document No. 2016-80476 in the Official Public Records of Harris County, Texas (the "**Covenant**"), Declarant served notice that portions of the Property described on Exhibit "A" to the 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 Covenant.

2. **Applicability of Development Area Declaration.** Pursuant to the Covenant and the Elyson Development Area Declaration [Residential], recorded as Document No. 2016-192154 in the Official Public Records of Harris County, Texas, as amended by that certain First Amendment to Elyson Development Area Declaration [Residential], recorded as Document No. 2018-47237 in the Official Public Records of Harris County, Texas, as further amended by that certain Second Amendment to Elyson Development Area Declaration [Residential], recorded as Document No. 2018-91963 in the Official Public Records of Harris County, Texas (collectively, the "**Development Area Declaration**"), Declarant served notice that portions of the Property described on Exhibit "A" to the 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 a Development Area Declaration. Pursuant to this Notice of Applicability, the Development Area is subject to the terms and provisions of the Development Area Declaration.

3. **Development Area.** The Development Area described and identified on Exhibit "1" attached hereto will constitute one of the Development Areas which is permitted, contemplated and defined under the Covenant.

4. **Property Incorporated Into Development.** The provisions of the Covenant and the Development Area Declaration shall apply to the Development Area. The Development Area is hereby

ELYSON  
NOTICE OF APPLICABILITY [RESIDENTIAL]  
SECTION 18

EXHIBIT "1"

DEVELOPMENT AREA

SEC 18:

Lots 1 through 5, Block 1; Lots 1 through 10, Block 2; Lots 1 through 70, Block 3; and Lots 1 through 12, Block 4, Elyson, Sec 18, a subdivision located in Harris County, Texas, according to the map or plat recorded in Document No. 2018-417648 [Film Code: 686299], in the Official Public Records of Harris County, Texas.

Upon recording, please return to:

Newland Communities  
10940 W. Sam Houston Pkwy. North, Suite 300  
Houston, TX 77064  
Attn: Operations Department

ELYSON  
NOTICE OF APPLICABILITY [RESIDENTIAL]  
SECTION 18

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RP-2018-501760

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 Covenant and the Development Area Declaration.

5. **Minimum Square Footage.** Notwithstanding anything contained in the Covenant or the Development Area Declaration to the contrary, unless otherwise approved in writing by the Elyson Residential Reviewer, the minimum square footage for each residence within the Development Area, exclusive of open or screened porches, terraces, patios, decks, driveways, and garages, will be in conformance with the amount described on the table below:

	SEC 18
Minimum Square Footage	1,400 sq. ft.

6. **Miscellaneous.** This notice constitutes a Notice of Applicability under Section 9.5 of the Covenant. Any capitalized terms used and not otherwise defined in this notice shall have the meanings set forth in the Covenant.

EXECUTED to be effective as of the 2<sup>nd</sup> day of November, 2018.

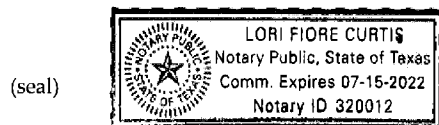
**DECLARANT:**

NASH FM 529, LLC,  
a Delaware limited liability company

By: [Signature]  
Name: ALAN F. BAUER  
Title: Authorized Signatory

THE STATE OF TEXAS                    §  
COUNTY OF HARRIS                    §

This instrument was acknowledged before me on this 2<sup>nd</sup> day of November, 2018, by Alan F. Bauer, Authorized Signatory of Nash FM 529, LLC, a Delaware limited liability company, on behalf of said limited liability company.



[Signature]  
Notary Public, State of Texas

ELYSON  
NOTICE OF APPLICABILITY [RESIDENTIAL]  
SECTION 18

RP-2018-501760  
# Pages 4  
11/02/2018 02:45 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$24.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

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 HARRIS

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED in the Official  
Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2018-501760