

Denton County  
Juli Luke  
County Clerk

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Instrument Number: 49771

ERecordings-RP

DECLARATION

Recorded On: May 16, 2023 09:50 AM

Number of Pages: 4

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**" Examined and Charged as Follows: "**

Total Recording: \$38.00

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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.

**File Information:**

Document Number: 49771  
Receipt Number: 20230516000141  
Recorded Date/Time: May 16, 2023 09:50 AM  
User: Melissa K  
Station: Station 43

**Record and Return To:**

Simplifile



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, TX

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AFTER RECORDING, RETURN TO:**  
Spiritas Ranch Homeowner's Association, Inc.  
c/o Essex Association Management, LP  
Attention: Ron Corcoran  
1512 Crescent Drive, Suite 112  
Carrollton, Texas 75006

**STATE OF TEXAS**                   §  
  §  
**COUNTY OF DENTON**           §

**FIRST SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SPIRITAS RANCH**  
*(Common Area and Amenity Easement and Use Agreement)*

THIS FIRST SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SPIRITAS RANCH (this "Supplement") is made and entered into as of May 12, 2023 (the "Effective Date"), by MM LITTLE ELM 548, LLC, a Texas limited liability company ("Declarant").

**PRELIMINARY STATEMENTS**

A. On May 2, 2023, Declarant executed that certain Declaration of Covenants, Conditions and Restrictions for Spiritas Ranch recorded on May 3, 2023, as Instrument No. 45288, in the Official Public Records of Denton County, Texas (the "Declaration").

B. Declarant holds all Declarant rights reserved under the Declaration, and pursuant to its rights as Declarant under the Declaration, including, without limitation, Section 15.4 and Section B.3.4 of Appendix B of the Declaration, Declarant desires to amend and supplement the terms of the Declaration, as more specifically set forth herein, and Declarant executes and records this Supplement as evidence of their approval of and adoption of the supplements and modifications of the Declaration as set forth herein.

NOW, THEREFORE, Declarant does hereby adopt this Supplement as follows:

1. Definitions. Unless otherwise defined in this Supplement, all capitalized words or terms used herein shall be defined and have the meaning set forth in the Declaration as modified and amended hereby.

2. Common Area and Amenity Easement and Use Agreement. The Declarant during the Development Period, and thereafter the Board shall have the unilateral right (without joinder or consent of any Owner or Member) to enter into an agreement by and among itself, the Association, and another homeowner association (the "Other HOA") and/or developer (the "Other

Declarant”) of the residential subdivision developed or to be developed adjacent to the Subdivision at the area north-east of the boundary of the Subdivision for any or all of the following purposes under terms as mutually agreed upon by Declarant, the Association through its Board, the Other Declarant and the Other HOA:

a. To create, grant and convey on a non-exclusive basis for the benefit of the Other HOA and its members, their guests, invitees and/or permittees, a non-exclusive license and easement to access, and for the purpose of the use of, Common Areas within the Subdivision, and establish terms and conditions related to the use and benefit conferred by such license and easement; and

b. To accept the creation, grant and conveyance on a non-exclusive basis for the benefit of the Association and its members, their guests, invitees and/or permittees, a non-exclusive license and easement to access, and for the purpose of the use of, common areas and/or amenities developed and/or maintained by the Other Declarant or Other HOA within the subdivision governed by it, and establish terms and conditions related to the use and benefit conferred by such license and easement; and

c. To charge to the Other HOA or to pay to the Other HOA, as the Declarant or the Board may determine economically reasonable, a fee in exchange for the rights granted under Section 2.a. or 2.b. above, as the case may be.

3. No Other Effect. Except as expressly amended by this Supplement, the terms and provisions of the Declaration are not amended, modified or supplemented, and the Declaration, as amended hereby, are hereby supplemented and amended by the Declarant as set forth herein.

4. Severability. Invalidation of any one provision of this Supplement by judgment or court order shall in no way affect any other provision of this Supplement or the remainder of this Supplement which shall remain in full force and effect. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Supplement a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

5. Headings. The headings contained in this Supplement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Supplement.

REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed to be effective as of the Effective Date.

**DECLARANT:**

MM LITTLE ELM 548, LLC,  
a Texas limited liability company

By: MMM Ventures, LLC,  
a Texas limited liability company  
its Manager

By: 2M Ventures, LLC,  
a Delaware limited liability company,  
its Manager

By: *Mehrdad Moayedi*  
Mehrdad Moayedi, Manager

STATE OF TEXAS           §  
  §  
COUNTY OF Dallas     §

BEFORE ME, the undersigned authority, on this day personally appeared Mehrdad Moayedi, Manager of 2M Ventures, LLC, a Delaware limited liability company, the manager of MMM Ventures, LLC, a Texas limited liability company, the manager of MM LITTLE ELM 548, LLC, a Texas limited liability company, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and as the act and deed of said entity(ies), and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 15<sup>th</sup> day of May, 2023.

*M. Kollinger*  
Notary Public, State of Texas

[SEAL]

