

AFTER RECORDING RETURN TO:
ROBERT D. BURTON
WINSTEAD PC
401 CONGRESS AVE., SUITE 2100
AUSTIN, TEXAS 78701



SALERNO
NOTICE OF DESIGNATION OF
COMMON AREA

[RETAINING WALLS]

WILLIAMSON COUNTY, TEXAS

Declarant: KB HOME LONE STAR INC., a Texas corporation



Cross reference to Salerno Master Covenant [Residential], recorded as Document No. 2021106161 in the Official Public Records of Williamson County, Texas.

SALERNO
NOTICE OF DESIGNATION OF COMMON AREA
[RETAINING WALLS]

This Notice of Designation of Common Area (this “**Notice**”) is made and executed by **KB HOME LONE STAR INC.**, a Texas corporation (the “**Declarant**”), in accordance with that certain Salerno Master Covenant [Residential], recorded as Document No. 2021106161 in the Official Public Records of Williamson County, Texas, as may be amended from time to time (the “**Covenant**”), and is as follows:

1. **Designation of Common Area.** Pursuant to *Section 3.6* of the Covenant, the Declarant reserved the right to designate, by written and Recorded instrument, property being held by the Declarant or a third party for the benefit of the Association as Common Area.

2. **Retaining Walls and Fences.** Declarant hereby designates as Common Area all geogrid retaining walls (collectively, the “**Retaining Walls**”) which are constructed or to be constructed upon certain Lots. All such Retaining Walls shall be maintained by the Association. In the event there is a dispute as to which Retaining Walls or Lots this Notice applies to, the determination of the Declarant during the Development Period, and the Board thereafter, shall be binding and conclusive.

3. **Costs of Maintenance of Common Area.** The costs incurred by the Association to maintain, repair and replace any such Retaining Walls shall be a common expense, paid through Regular Assessments levied in accordance with the Covenant. Declarant reserves for the Association and the Association’s agents and contractors an easement over and across any Lot to which this Notice applies as reasonably necessary or convenient to perform any maintenance, repair or replacement of the Retaining Walls, provided, however, the exercise of the easement reserved herein shall not permit entry into any residence.

4. **Miscellaneous.** This Notice constitutes a notice of designation of Common Area contemplated under *Section 3.6* of the Covenant. Any capitalized terms used and not otherwise defined in this Notice shall have the meanings set forth in the Covenant.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective on the date this instrument is Recorded.

DECLARANT:

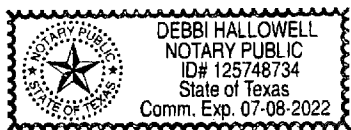
KB HOME LONE STAR INC.,
a Texas corporation

By: Shawn A. Kirkpatrick
Printed Name: Shawn A Kirkpatrick
Title: Director of Public Affairs

THE STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me this 12th day of October, 2021 by Shawn A Kirkpatrick Director of Public Affairs of KB HOME Lone Star Inc., a Texas corporation, on behalf of said corporation.



[Signature]
Notary Public Signature

**ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS**

2021158013

Pages: 4 Fee: \$34.00

10/15/2021 02:59 PM

PKINNE



Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas