

AFTER RECORDING RETURN TO:  
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# MIDTOWN RESERVE

## NOTICE OF APPLICABILITY

### [RESIDENTIAL] [PHASES 113, 109, 112]

*Brazos County, Texas*

**Declarant:** DM-CSDR, INC., a Texas corporation

Cross reference is made to that certain (i) Midtown Reserve Second Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded as Document No. 2023-1515538 in Volume 18921, Page 77 of the Official Public Records of Brazos County, Texas, as amended and supplemented from time to time, (the "Covenant"); and (ii) Midtown Reserve Development Area Declaration [Residential], recorded as Document No. 2023-1515550 in the Official Public Records of Brazos County, Texas, as amended and supplemented from time to time (the "Development Area Declaration").

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**MIDTOWN RESERVE**  
**NOTICE OF APPLICABILITY OF SECOND AMENDED AND RESTATED  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND  
DEVELOPMENT AREA DECLARATION**  
**[RESIDENTIAL] [PHASES 113, 109, 112]**

This Notice of Applicability of Midtown Reserve Second Amended and Restated Declaration of Covenants, Conditions and Restrictions and Midtown Reserve Development Area Declaration [*Residential*] (this “**Notice**”) is made and executed by **DM-CSDR, INC.**, a Texas corporation (“**Declarant**”), and is as follows:

1.     **Development Area.** This Notice of Applicability is Recorded with respect to certain real property in Brazos County, Texas, more particularly described on Exhibit “A” attached hereto (the “**Development Area**”).

2.     **Applicability of Second Amended and Restated Declaration of Covenants, Conditions and Restrictions.** Pursuant to that certain Midtown Reserve Second Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded as Document No. 2023-1515538, Official Public Records of Brazos County (the “**Covenant**”), Declarant served notice that portions of the property described on Exhibit “A” and Exhibit “B” 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.

3.     **Applicability of Development Area Declaration.** Pursuant to the Covenant and to that certain Midtown Reserve Development Area Declaration [*Residential*], recorded as Document No. 2023-1515550, in the Official Public Records of Brazos County, Texas (the “**Development Area Declaration**”), Declarant served notice that portions of the property described on Exhibit “A” and Exhibit “B” 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 the Development Area Declaration.

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 Covenant.

5.     **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 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.

6. **Miscellaneous.** This Notice constitutes a Notice of Applicability under *Section 9.5* of the Covenant. Capitalized terms used and not defined in this Notice shall have the meanings ascribed such terms in the Covenant.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**DECLARANT:**

**DM-CSDR, INC.,** a Texas corporation

By:\_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS §

§

§

COUNTY OF \_\_\_\_\_ §

§

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2025,  
by \_\_\_\_\_, \_\_\_\_\_ (title), of DM-CSDR, Inc., a Texas  
corporation, on behalf of said corporation.

[SEAL]

Notary Public, State of Texas

**Exhibit "A"**  
**Real Property Constituting the Development Area**

Lots 18 through 32, Block 9; Lots 1 through 15, Block 10; Lots 1-10, Block 12, Lots 14-25, Block 16, Phase 113, Midtown Reserve Subdivision, Brazos County, Texas, according to the map or plat recorded as Document No. 2025-1563983 in the Official Public Records of Brazos County, Texas; and

Lot 56, Block 11, Common Areas 20R, 44 & 45, Parkland DD, Block 37, Phase 109; and Lot 7R, Block 11, Phase 111, Midtown Reserve Subdivision, Brazos County, Texas, according to the maps or plats recorded as Document Nos. 2023-1511850 and 2024-1526942, amended by Document No. 2025-1563767 in the Official Public Records of Brazos County, Texas.