

076755

SUPPLEMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
HERITAGE LAKES

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF DENTON §

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HERITAGE LAKES (this "Supplemental Declaration") is made on the date hereinafter set forth by Lennar Homes of Texas Land and Construction, a Texas limited partnership d/b/a U.S. Home Development Company (hereinafter referred to as the "Declarant") and Heritage Lakes Homeowners Association, Inc., a Texas non-profit corporation (hereinafter referred to as the "Association").

WITNESSETH:

WHEREAS, U.S. Home Corporation (the "Original Declarant") recorded that certain Declaration of Covenants, Conditions and Restrictions for Heritage Lakes on August 28, 2000, in Volume 4494, Page 2218 of the Real Property Records of Denton County, Texas (the "Declaration"); and

WHEREAS, the Original Declarant assigned its rights as Declarant and as the Class B Member to U.S. Home Development Company by that certain Assignment of Declarant and Class B Member Status and Rights for Heritage Lakes dated May 31, 2001, and recorded in Volume 4847, Page 1459 of the Deed Records of Denton County, Texas; and

WHEREAS, Article X, Section 10.2(a) of the Declaration authorizes the Declarant, for so long as the Declarant owns a Lot in the Development (as defined by the Declaration), to annex additional property described in Exhibit "B" to the Declaration to the terms, covenants, conditions, easements and restrictions of the Declaration; and

WHEREAS, the Declarant desires to annex into the Association the property described on Exhibits "A-1", "A-2" and "A-3" attached hereto and incorporated herein by reference (the "Annexed Property"), such Annexed Property being a part of the property described in Exhibit "B" to the Declaration; and

WHEREAS, the Association is the owner of the property described on Exhibits and "A-2" and "A-3" attached hereto and incorporated herein by reference (the "Association Property"); and

WHEREAS, the Declarant desires to designate the Association Property as Common

Area of the Association, and the Association hereby consents to the annexation of such property to the Declaration.

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, the Declarant hereby subjects the property described in Exhibits "A-1", "A-2" and "A-3" hereof to the provisions of the Declaration, and hereby designates the property described in Exhibits "A-2" and "A-3" as Common Area of the Association. The Annexed Property shall be sold, transferred, used, conveyed, occupied and mortgaged or otherwise encumbered pursuant to the provisions of the Declaration, which shall run with the title to such Annexed Property and shall be binding upon all persons having any right, title or any interest in the Annexed Property, their respective heirs, legal representatives, successors, successors-in-title and assigns.

IN WITNESS WHEREOF, the Declarant and the Association have executed this Supplemental Declaration as of the 6th day of May, 2003.

DECLARANT:

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., a Texas limited partnership d/b/a **U. S. HOME DEVELOPMENT COMPANY**

By: **LENNAR TEXAS HOLDING COMPANY,** a Texas corporation, its general partner

By: [Handwritten Signature]

Its: Divisional President

ASSOCIATION:

HERITAGE LAKES HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation

By: [Handwritten Signature]

Its: Board Director

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, a Notary Public in and for the State of Texas, duly authorized to take acknowledgements, personally appeared Jeff Kullman, duly authorized agent of Lennar Texas Holding Company, a Texas corporation, general partner of Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership d/b/a U.S. Home Development Company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 6 day of May, 2003.

Jeffrey R. Kullman
Notary Public in and for
the State of Texas

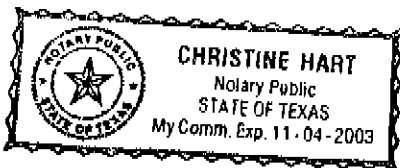


STATE OF TEXAS §
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COUNTY OF DALLAS §

BEFORE ME, a Notary Public in and for the State of Texas, duly authorized to take acknowledgements, personally appeared Jeffrey R. Kullman, duly authorized agent of Heritage Lakes Homeowners Association, Inc., a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 6 day of May, 2003.

Christine Hart
Notary Public in and for
the State of Texas



AFTER RECORDING RETURN TO:
Riddle & Williams, P.C.
3811 Turtle Creek Blvd., Suite 1050
Dallas, Texas 75219

FARWBWPGSUPPLEMENTSUPP.HERITAGELAKES4

EXHIBIT A-1

Being Lots 1 through 18 in Block I; Lots 1 through 16 in Block J; Lots 1 through 23 in Block K; Lots 1 through 22 in Block L; Lots 5 through 12 in Block M; and Lots 45 through 75 in Block P of HERITAGE LAKES, PHASE 4 AND 5, an addition to the City of Frisco, Denton County, Texas, according to the plat recorded in Cabinet U, Page 884 of the Plat Records of Denton County, Texas.

Lots 12A and 12B in Block X of the Replat of Lot 12 in Block X of HERITAGE LAKES, PHASE 1, an addition to the City of Frisco, Denton County, Texas, according to the plat recorded in Cabinet U, Page 552 of the Plat Records of Denton County, Texas.

EXHIBIT A-2

Tract 2 and Tract 3, Block P of HERITAGE LAKES PHASE 4 and 5, an addition to the City of Frisco, Denton County, Texas, according to the map or plat thereof recorded in Cabinet U, Page 884, Plat Records, Denton County, Texas, together with all of Grantor's right, title, and interest in and to the private streets, alleys and roads in Heritage Lakes Phase 4, as shown on the plat recorded in Cabinet U, Page 884 of the Plat Records of Denton County, Texas, and Lot 1R, Block Q of HERITAGE LAKES, PHASE 2, an addition to the City of Frisco, Denton County, Texas, according to the map or plat thereof recorded in Cabinet U, Page ~~884~~, Plat Records, Denton County, Texas, together with all of Grantor's right, title and interest in and to the walls and landscape borders situated therein ("Property").

SLIDE 118



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EXHIBIT A-3

Tracts 3 and 4 in Block X of HERITAGE LAKES, PHASE 1, an addition to the City of Frisco, Denton County, Texas according to the replat thereof recorded in Cabinet U, Page 552, Plat Records, Denton County, Texas, and the Certificate of Correction of Error filed July 19, 1999, recorded in Volume 4383, Page 1734 of the Real Property Records of Denton County, Texas ("Property").

ANY PROVISION HEREIN WHICH RESTRICTS THE OPERATION OF ANY OF THE ABOVE RECORDED REAL PROPERTY INSTRUMENTS OR OPERATIONS THEREIN IS HEREBY DECLARED UNLAWFUL UNDER THE REAL PROPERTY ACT OF THE STATE OF TEXAS.

COUNTY OF DENTON }
I hereby certify that this instrument was FILED in the File Number sequence on the date and the time specified herein by me or a duly REGISTERED, in the Official Public Records of the County of Denton County, Texas on

MAY 16 2003

Cynthia Mitchell
COUNTY CLERK
DENTON COUNTY, TEXAS



Filed for Record in:
DENTON COUNTY, TX
CYNTHIA MITCHELL, COUNTY CLERK

On May 16 2003
At 4:16pm

Receipt #: 29352
Recording: 17.00
Doc/Mgmt: 6.00
Doc/Num: 2003-00076755
Doc/Type: DEC
Deputy - Felicia