

CROSS REFERENCE TO CLERK'S DOCUMENT #00212661,
AND AT VOLUME 1204, PAGE 308, OFFICIAL
REAL PROPERTY RECORDS, GRIMES COUNTY TEXAS

**FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR KING OAKS, SECTION ONE**

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

This FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KING OAKS, SECTION ONE is made on the date as shown below, by SOUTHSTAR AT KING OAKS, LLC, a Texas limited liability company, duly authorized to do business in the State of Texas (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KING OAKS under Clerk's Document #00212660 and at Volume 1204, Page 254, Official Public Records of Grimes County, Texas (herein referred to as the "Master Declaration"); and

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KING OAKS under Clerk's Document #00246778 and at Volume 1400, Page 693, Official Public Records of Grimes County, Texas (herein referred to as the "First Amendment to Master Declaration"); and

WHEREAS, Declarant prepared and filed of record that certain SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KING OAKS, SECTION ONE, under Clerk's Document #00212661 and at Volume 1204, Page 308, Official Public Records of Grimes County, Texas (hereinafter referred to as the "Section 1 Supplement"); and

WHEREAS, Declarant prepared and filed of record that certain SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KING OAKS, SECTION 1A, under Clerk's Document # 00214645 and at Volume 1216, Page 194, Official Public Records of Grimes County, Texas (hereinafter referred to as the "Section 1A Supplement"); and

WHEREAS, Declarant prepared and filed of record that certain FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KING OAKS, SECTION 1A, under Clerk's Document # 00216012 and at Volume 1224, Page 525, Official Public Records of Grimes County, Texas (hereinafter referred to as the "Amended 1A Supplement"); and

WHEREAS, Declarant prepared and filed of record that certain SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KING OAKS, SECTION

Two, under Clerk's Document #00217482 and at Volume 1233, Page 689, Official Public Records of Grimes County, Texas (hereinafter referred to as the "Section 2 Supplement"); and

WHEREAS, Declarant prepared and filed of record that certain FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KING OAKS, SECTION TWO, under Clerk's Document # 00218710 and at Volume 1241, Page 686, Official Public Records of Grimes County, Texas (hereinafter referred to as the "Amended Section 2 Supplement"); and

WHEREAS, through an Assignment of Declarant's Rights, SOUTHSTAR AT KING OAKS, LLC, a Texas limited liability company was assigned all Declarant's Rights in the King Oaks development from the predecessor in interest Bluegreen Southwest One, LP in a document filed of record at Volume 1416, Page 713 and a collateral assignment of Declarant's Rights recorded at Volume 1416, Page 760, Official Public Records of Grimes County, Texas (hereinafter referred to as the "Assignment"); and

WHEREAS, Declarant is now the developer of the real property described on Exhibit "A" attached to the Section 1 Supplement recorded at Document #00212661 and at Volume 1204, Page 308, Official Real Property Records of Grimes County, Texas which is incorporated herein by reference (the "Property"); and

WHEREAS, pursuant to the terms of Section 13.5 of the Declaration, the Declarant reserves the right at any time, and from time to time, prior to the termination of the Class "B" Control Period, without the joinder or consent of any Owner or other party, to amend or supplement the Declaration by an instrument in writing duly signed, acknowledged and filed of record; and

WHEREAS the termination of the Class "B" Control Period has not occurred and Declarant has determined that to further the general plan and scheme of development as evidenced by the Declaration, it is desirable to execute and file this First Amendment to the Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks, Section One (hereinafter referred to as the "First Amendment") for the purpose of modifying the Supplement to Declaration of Covenants, Conditions and Restrictions for King Oaks, Section One for the clarification and benefit of current and future Owners and to further the common scheme of development for King Oaks, Section One.

WHEREAS, the Declarant desires to amend and restate the Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks, Section One, as stated herein with all other amendments and supplements remaining in full force and effects except as stated herein; and

No Warranty of Enforceability. While Declarant has no reason to believe that any of the restrictive covenants of other terms and provisions contained in this Article or elsewhere in the Declaration are or may be invalid or unenforceable for any reason or to any extent, Declarant makes no warranty or representation as to the present or future

validity or enforceability of any such restrictive covenants, terms or provisions. Any Owner acquiring a Lot in reliance on one or more of such restrictive covenants, terms or provisions shall assume all risks of the validity and enforceability thereof and, by acquiring the Lot, agrees to hold Declarant harmless therefrom.

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Master Declaration, Declarant hereby subjects the real property described in the Master Declaration and Section 1 Supplement to this First Amendment, which shall apply to such property in addition to the provisions of the Master Declaration and the Section 1 Supplement. Such property shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of this First Amendment, the Section 1 Supplement, and the Master Declaration and all amendments thereto, all of which shall run with the title to such lot/property and shall be binding upon all persons having any right, title, or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title and assigns. The provisions of this First Amendment shall be binding upon in accordance with the terms of the Master Declaration, the Section 1 Supplement and all amendments and supplements thereto. If there is a discrepancy between this First Amendment, Section 1 Supplement and the Master Declaration, such terms and conditions of the First Amendment shall control.

ARTICLE 1
USE RESTRICTIONS – GARAGE LOCATION

Declarant hereby modifies and amends Article 3 – Use Restrictions contained in the Section 1 Supplement for King Oaks, Section One by adding under Paragraph 3.1., subsection (c) as follows:

(c.) **Garages.** All residential dwellings must have a garage, whether detached or attached, and such garage must hold a minimum of two (2) cars and a maximum of four (4) cars. The garage must have finished interiors (sheet rocked, taped/floated and painted). Detached garages must be at least thirty (30) feet behind the front wall of the main residential dwelling. The garage doors and openings for the garage doors must face the Side or Rear Lot Lines for all size residential dwellings, and shall not face a street unless the Lot is situated on a corner, then and only then, may the garage door(s) face a street but under no circumstances shall the garage door(s) ever face the Front Property Line or the street on which the front door of the primary residential dwelling faces. The primary dwelling must face the Front Lot Line or Front Property Line and the street.

ARTICLE 2
Declaration

Except as specifically amended hereby, the Master Declaration, all amendments

thereto and the Section 1 Supplement and all terms thereof shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned Declarant has executed this First Amendment to the Section 1 Supplement on this the 13 day of November, 2013.

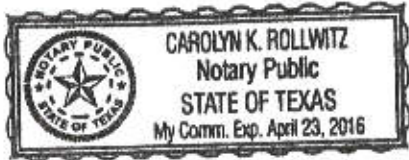
DECLARANT: SOUTHSTAR AT KING OAKS, LLC

By: [Signature]
Jesse Keasler, Vice President

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing First Amendment to the Supplemental Declaration of Covenants, Conditions and Restrictions for KING OAKS was acknowledged before me on the 13 day of November, 2013, by Jesse Keasler, Vice President of Southstar at King Oaks, LLC, a Texas limited liability company, on behalf of said entity.



[Signature]
Notary Public, State of Texas

UPON RECORDING, PLEASE RETURN TO:

SOUTHSTAR AT KING OAKS, LLC
100 Lakeridge Parkway
Cedar Hill, Texas 75104

GUARANTY TITLE COMPANY
OF GRIMES COUNTY
P.O. BOX 1540
211 E. WASHINGTON
NAVASOTA, TX 77868

Filed for record in
Grimes County
On Nov 20, 2013 at 02:26P
As a RECORDING
Document Number: 00260980
Amount: 28.00
Receipt Number - 67079
By: Tina S Schroeder
STATE OF TEXAS
COUNTY OF GRIMES
I hereby certify that this instrument was
filed on the date and time stamped herein by me
and was duly recorded in the volume and page
of the named records of
Grimes County
as stamped herein by me.
Nov 20, 2013
David Faskler, Grimes County Clerk
Grimes County