

SECOND SUPPLEMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR EAGLE'S BLUFF  
(Sections 3 and 4)

This Second Supplement to Declaration of Covenants, Conditions and Restrictions for EAGLE'S BLUFF (this "Supplemental Declaration") is executed by LAKE PALESTINE ASSOCIATES, L.P., a Texas Limited Partnership ("Declarant"), the sole owner of the Annexed Property (defined below).

RECITALS

- A. Declarant executed a Declaration of Covenants, Conditions and Restrictions for Eagle's Bluff dated September 23, 1998, which was recorded in Volume 1400, Page 387 of the Real Property Records of Cherokee County, Texas (the "Declaration"). The Declaration covered the land described in EXHIBIT "A" attached to the Declaration (the "Properties"), which included land commonly known as Section One of Eagle's Bluff.
- B. Section 9.1 of the Declaration allows Declarant at any time until December 31, 2028 to unilaterally subject any real property immediately adjacent to and contiguous with the Properties to the provisions of the Declaration by filing a supplemental declaration in the Real Property Records of Cherokee County, Texas.
- C. Declarant is the sole owner of the real property described in EXHIBIT "A" attached to this Supplement (the "Annexed Property"), which is immediately adjacent to and contiguous with the Properties. In accordance with Section 9.1 of the Declaration, Declarant desires to annex the Annexed Property into the Properties and to subject the Annexed Property to the provisions of the Declaration under the terms as noted below.

NOW, THEREFORE, Declarant hereby annexes the Annexed Property into the Properties covered by the Declaration, and subjects the Annexed Property to the provisions of the Declaration. The Annexed Property is now a part of the "Properties", as defined in the Declaration. Declarant declares that all of the Annexed Property shall be held, transferred, sold, conveyed and occupied

subject to the covenants, restrictions, easements, conditions, reservations, charges, and liens set out in the Declaration as if the Annexed Property had been originally described in the Declaration as part of the Properties. Declarant reserves all rights and benefits provided in the Declaration in connection with the Annexed Property.

Except as supplemented and amended as noted above, the Declaration shall remain in full force and effect, and Declarant reserves the right in the future to annex additional real property under the terms of the Declaration and as provided by law.

DECLARANT:

LAKE PALESTINE ASSOCIATES, L.P.

By: EAGLE'S RIDGE DEVELOPMENT  
CORPORATION  
General Partner

By: Ralph E. Martin  
Printed Name: RALPH E. MARTIN  
Title: President

STATE OF TEXAS

COUNTY OF Smith

§  
§  
§

This instrument was acknowledged before me, the undersigned notary public, on this the 21<sup>st</sup> day of July, 2003, by Ralph E. Martin, President of and on behalf of EAGLE'S RIDGE DEVELOPMENT CORPORATION, a Texas Corporation, the

corporation acting in its capacity as the general partner of and on behalf of LAKE PALESTINE ASSOCIATES, L.P., a Texas Limited Partnership.

Yvonne Smith  
NOTARY PUBLIC/STATE OF TEXAS

Yvonne Smith  
Printed Name of Notary Public  
My Commission Expires: 10-28-2003



**CONSENT OF LIENHOLDER**

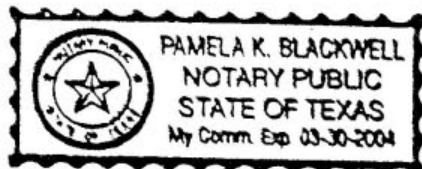
TEXAS BANK ("Lienholder"), the lienholder on the Annexed Property, executes this Supplemental Declaration for the purpose of consenting to the annexation of the Annexed Property and the encumbering of the Annexed Property by the Declaration. Lienholder hereby subordinates all of its liens of any nature on any portion of the Annexed Property to the terms and conditions of the Declaration and this Supplemental Declaration.

TEXAS BANK

By: Charleen Goldston  
Printed Name: CHARLEEN GOLDSTON  
Title: Vice President

STATE OF TEXAS §  
COUNTY OF TARRANT §

This instrument was acknowledged before me, the undersigned notary public, on this the 1<sup>st</sup> day of August, 2003, by CHARLEEN GOLDSTON, as the Vice President of and on behalf of TEXAS BANK, a state banking association.



Pamela K. Blackwell  
NOTARY PUBLIC/STATE OF TEXAS

Pamela K. Blackwell  
Printed Name of Notary Public  
My Commission Expires: 3-30-04

EXHIBIT "A"

LEGAL DESCRIPTION OF ANNEXED PROPERTY

All of EAGLE'S BLUFF, Sections THREE (3) and FOUR (4), according to the plats thereof recorded in Cabinet B, Pages 175, 176, 177 & 178, Plat Records of Cherokee County, Texas, including the following lots as noted on the plat:

Lots 1 through 8, Section Three (3), part of John Walker, A-54, recorded in Cabinet B, Slide 175, Plat Records of Cherokee County, Texas;

Lots 1 through 25, Section 4 and 2.496 acres, Park and Reserve area, recorded in Cabinet B, Slides 176, 177 and 178, Plat Records of Cherokee County, Texas.

FILED FOR RECORD  
OF PUBLIC RECORDS  
ON: Aug 13, 2003 at 03:27P  
Decurent Number: 40510030  
Honorole Laverne Lusk  
County Clerk  
By  
Dennis Dowling, Deputy  
Cherokee County

COUNTY OF CHEROKEE  
I hereby certify that this instrument was  
filed in the office of the County Clerk and was duly  
recorded in the public records of the County of  
Cherokee, Texas, on the 13th day of August, 2003.  
Dennis Dowling  
County Clerk

Aug 13, 2003

Barbara Laverne Lusk, County Clerk  
Cherokee County