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**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
MCKINNEY PARK EAST**

THE STATE OF TEXAS

COUNTY OF TRAVIS

This FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MCKINNEY PARK EAST (this "Amendment") is executed to be effective as of the date set forth below by KB Home Lonestar LP (the "Declarant").

**RECITALS**

**WHEREAS**, KB HOME LONE STAR, L.P., a Texas limited partnership ("Declarant"), filed for record that certain Declaration of Covenants, Conditions and Restrictions for McKinney Park East, recorded as Document No. 2002199012, Official Public Records of Travis County, Texas (as supplemented, the "Declaration") and made the same applicable to that certain real property described as follows:

McKinney Park East, Section 1, a subdivision in Travis County, Texas according to the map or plat thereof filed of record as Document No. 200200283 in the Official Public Records of Travis County, Texas;

**WHEREAS**, the Declarant did subject that certain property known as McKinney Park East, Sections 2 & 3 to the terms and provisions of the Declaration by Supplemental Declarations of record as Document Nos. 2004233932 and 2006031992 respectively, in the Official Public Records of Travis County, Texas; and

**WHEREAS**, Article 7.5 (a) of the Declaration, as amended and/or supplemented, provides in relevant part as follows:

"...Declarant shall have the right to execute and record amendments to this Declaration without the consent or approval of any other party...for the purpose of correcting technical errors or for the purpose of clarification..."

**WHEREAS**, Declarant desires to modify the language of Article 6.7 (i) of the Declaration in order to clarify provisions of the Declaration providing for the use and storage of trash containers.

**NOW, THEREFORE**, in consideration of the foregoing, the Declaration hereby amends the Declaration for the above-referenced purposes by amending Article 6.7 (i) of the Declaration to read in its entirety as follows:

No Lot or other area of the Property shall be used as a dumping ground for rubbish or accumulation of unsightly materials of any kind, including without limitation, broken or rusty equipment, disassembled or inoperative cars and discarded appliances and furniture. Trash, garbage or other waste shall not be kept except in sanitary containers and shall be concealed from public view except on designated trash collection days. All such containers shall be set out for collection no earlier than 5:00 P.M. on the day before the scheduled collection day and shall be concealed from public view no later than 9:00 A.M. on the day following the scheduled collection day. All containers for the storage or other disposal of such material shall be kept in clean and sanitary condition. Materials incident to construction of improvements may only be stored on Lots during construction of the improvement thereon.

The Declaration as defined herein is hereby ratified and confirmed, except as it may be inconsistent with this First Amendment to the Declaration, in which case this First Amendment will control.

No Further Changes. Except as expressly set forth in this Amendment, the Declaration shall remain unchanged and shall continue in full force and effect.

EFFECTIVE as of JUNE 19,, 2008.

**KB HOME LONE STAR L.P.**  
a Texas limited partnership

By: KBSA Inc., a Texas corporation, its general partner

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

John H. Zinsmeyer,

THE STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 19 day of JUNE, 2008 by John H. Zinsmeyer, as Vice President of KBSA, Inc., the general partner of KB Home Lonestar, L.P. 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.

Kim Todd  
NOTARY PUBLIC, State of Texas

