



RESTRICT 2004233932

2 PGS

Courtesy Filips
\$114.00

**FIRST SUPPLEMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

**McKinney Park East
Annexation of McKinney Park East, Section 2**

THIS FIRST SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTION (this "First Supplement") is made and entered into effective as of April 7, 2004 by **KB HOME LONE STAR LP** ("Declarant").

WHEREAS, the Declarant filed for record that certain **Covenants, Conditions and Restrictions for McKinney Park East** on or about October 21, 2002 (the "Declaration") as Document Number **2002199012** in the Real Property Records of Travis County, Texas (such property referenced in the Declaration with all property annexed to such property and subject to the Declaration, hereinafter, the "Original Property"); and

WHEREAS, Section 7.16 of the Declaration provides that the Declarant may annex property adjacent to or adjoining the Original Property or property adjacent to or adjoining property annexed to the Original Property in accordance with the terms and conditions set forth therein; and Travis County, Texas

WHEREAS, the Declarant owns certain property located adjacent to the Original Property known as **McKinney Park East Section 2** as more particularly described in that certain Final Plat recorded on or about **April 7, 2004 in Document Number 200300068**, in the Real Property Records of Travis County, Texas (the "Supplemental Property"); and

WHEREAS, Declarant desires to annex the Supplemental Property with the Original Property so that the terms, conditions, covenants and restrictions set forth in the Declaration shall apply to the Supplemental Property;

WHEREAS, unless otherwise provided in this First Supplement, definitions contained in the Declaration shall have the same meaning in this First Supplement; and

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, Declarant hereby agrees to supplement the Declaration as follows:

1. **Declaration in Effect.** The foregoing recitations are true and correct.
2. **Annexation of Supplemental Property.** The Supplemental Property is hereby annexed into the Declaration and all terms, conditions, covenants and restrictions of the Declaration shall be applicable to the Supplemental Property, including, but not limited to the obligation to pay dues, charges and assessments to the Association that are required to maintain common areas, entry features, landscaping, drainage and electrical easements, and screening walls, including within the Property or future Property to be annexed with the Property.

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

IN WITNESS WHEREOF, the Declarant has executed this First Supplement as of the date and year first above written.

DECLARANT

KB HOME LONE STAR LP, a Texas limited partnership

By: KBSA, Inc., its general partner

By: 

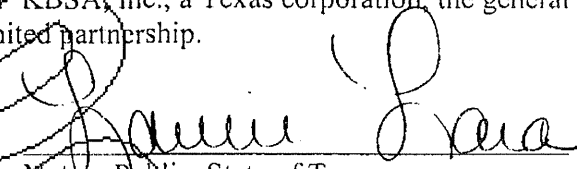
Name: John H. Zinsmeyer

Title: Vice President

State of Texas

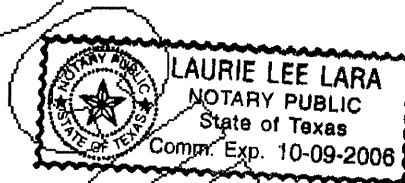
County of Williamson

This instrument was acknowledged before me this 11th day of November, 2004, by John H. Zinsmeyer, Vice President of KBSA, Inc., a Texas corporation, the general partner of KB Home Lone Star LP, a Texas limited partnership.


Notary Public, State of Texas

After recording return to:

KB Home Lone Star LP
Attn: Legal Department
4800 Fredericksburg Road
San Antonio, Texas 78229



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



2004 Dec 20 09:12 AM

2004233932

BENAVIDES \$16.00

DANA DEBEAUVOIR COUNTY CLERK
TRAVIS COUNTY TEXAS