DECLAR 2006031991

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SECOND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

(Amending McKinney Park East Section 2 from First Supplement to Declaration of Covenants, Conditions and Restrictions dated December 20, 2004 under Document Number 2004233932)

MCKINNEY PARK EAST SECTION 2
Annexation of McKinney Park East Section 2

THIS SECOND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Second Supplement") is made and entered into effective as of February 17, 2006 by KB HOME LONE STAR LP, ("Declarant").

WHEREAS, the Declarant filed for record that certain Declaration of 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, there in after 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

WHEREAS, the Declarant filed for the record that certain First Supplement to Declaration of Covenants, Conditions and Restrictions for McKinney Park East Section 2 and filed of record under Document Number 2004233932 in Travis County, Texas, as more particularly described in that certain plat recorded as Document Number 200300068 of the Real Property Records of Travis County, Texas (for the purposes "First Supplement");

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 as 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; and

WHEREAS, the Declarant wishes to amend that certain First Supplement to correct the title to be known as the Second Supplement to Declaration of Covenants, Conditions and Restrictions, McKinney Park East Section 2 which is the title of this instrument; and

WHEREAS, unless otherwise provided in this Second Supplement, definitions contained in the Declaration shall have the same meaning as set forth in the First Supplement.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable

Second Supplement of Declaration of Covenants, Conditions and Restrictions (Annexation of McKinney Park East, Section 2)

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consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, Declarant hereby agrees to supplement the Declaration as follows:

Second Supplement. For all purposes contained herein, upon the date of recording of this Second Supplement, this Second Supplement shall incorporate all of the provisions in the First Supplement as defined herein.

- Declaration in Effect. The foregoing recitations are true and correct.
- Amnexation 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.
- 4. <u>No Further Changes</u> 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 Second Supplement as of the date and year first above written.

## DECLARANT

KB HOME LONE STAR LP, a Texas limited partnership

By: KB8A, Inc., a Texas corporation, its general

By:

Name:

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Second Supplement of Declaration of Covenants, Conditions and Restrictions (Annexation of McKinney Park East, Section 2)

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State of Texas County of Travis This instrument was acknowledged before me this 17th day of February of KBSA, Inc., the general partner of KB HOME LONE STAR LP, a Texas limited partnership. After recording return to: KB HOME LONE STAR-LP MARY ELIZABETH MCCLAIN Attn: Land Department-NOTARY PUBLIC 11911 Burnet Road State of Texas Comm. Exp. 09-15-2007 Austin, TX 78758 AND RECORDED 2006031991 HERRERAR \$24.00 DANA DEBEAUVOJA COUNTY CLERK TRAVIS COUNTY TEXAS Second Supplement of Declaration of Covenants, Conditions and Restrictions

(Annexation of McKinney Park East, Section 2)

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