

**SUPPLEMENTAL DECLARATION OF PROTECTIVE
COVENANTS FOR EAGLE SPRINGS RESIDENTIAL PROPERTY**

TOWNHOMES - EAGLE SPRINGS, SECTION TWENTY

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS SUPPLEMENTAL DECLARATION (this "Supplemental Declaration") is made by TERRABROOK EAGLE SPRINGS, L.P., (hereinafter referred to as "**Declarant**").

W I T N E S S E T H

WHEREAS, Declarant is the "Declarant" under that certain Declaration of Protective Covenants for Eagle Springs (the "**Declaration**") recorded on May 9, 2001, in file number V039773 in the Office of the County Clerk of Harris County, Texas; and

WHEREAS, Declarant is the owner of the real property described in Exhibit A attached hereto ("**Additional Property**"); and

WHEREAS, pursuant to the terms of the Declaration, the Declarant may subject certain additional property described on Exhibit C of the Declaration to the terms of the Declaration; and

WHEREAS, the Additional Property is a portion of that property described on Exhibit C to the Declaration; and

WHEREAS, the Declarant desires to subject the Additional Property to the terms of the Declaration;

NOW, THEREFORE,

1. Declarant hereby subjects the Additional Property to the provisions of the Declaration and this Supplemental Declaration. The Additional Property shall be sold, transferred, used, conveyed, occupied, mortgaged or otherwise encumbered pursuant to, and subject to the limitations of, the provisions of the Declaration and this Supplemental Declaration, both of which shall run with the title to such Additional Property and shall be binding upon each person or entity having any right, title, or interest in such Additional Property, and such person's or entity's heirs, legal representatives, successors, successors-in-title, and assigns. The provisions of this Supplemental Declaration shall be binding upon the Eagle Springs Community Association, Inc. in accordance with the Declaration.

- 500-20-1245
2. The Additional Property described on Exhibit A attached hereto is hereby designated a Neighborhood under the name shown on Exhibit A.
 3. This Supplemental Declaration may be amended as provided in the Declaration, or to the extent not specifically provided for in the Declaration, may be amended or supplemented in the same manner as the Declaration.
 4. All capitalized terms used herein and not defined shall have the meaning as set forth in the Declaration.
 5. The minimum square footage for each Unit designated as a townhome on **Lots 1 through 34 of Block 1, Lots 47 through 120 of Block 2, and Lots 1 through 28 of Block 3** in the Neighborhood of **EAGLE SPRINGS, SECTION TWENTY** shall be 1,200 square feet of living space (air conditioned space).
 6. The Additional Property will be developed as a townhouse Neighborhood with its own Neighborhood Association and Neighborhood Assessments, and subject to such covenants, conditions and restrictions in connection therewith as deemed necessary and appropriate by Declarant (the "Additional Restrictions"). The initial Additional Restrictions must be filed of record prior to the sale of the first Unit in the Additional Property to a Person other than Declarant or a builder for use and occupancy of the Unit as a single family residence by such other Person. The Additional Restrictions will not be effective unless and until Declarant's consent thereto and joinder therein is evidenced by Declarant's execution of the Additional Restrictions, and the Additional Restrictions are filed in the Office of the County Clerk of Harris County, Texas.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Supplemental Declaration effective as of June 22, 2004.

TERRABROOK EAGLE SPRINGS, L.P.
a Delaware limited partnership

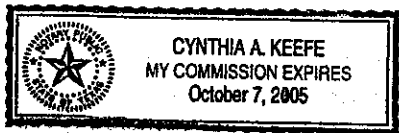
By: Terrabrook Eagle Springs GP, L.L.C.
a Delaware limited liability company,
its General Partner

By: W F Nelson
Name: Walter F. Nelson
Title: Senior Vice President

04 JUN 28 PM 1:54
FILED
COUNTY CLERK
HARRIS COUNTY, TEXAS

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on June 22, 2004, by Walter F. Nelson, Senior Vice President of TERRABROOK EAGLE SPRINGS GP, L.L.C., a Delaware limited liability company, as General Partner of TERRABROOK EAGLE SPRINGS, L.P., a Delaware limited partnership, on behalf of said limited partnership.



Cynthia A. Keefe
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

500-20-1246

EXHIBIT "A"

The subdivision known as Eagle Springs Section Twenty (20), a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 548103 of the Map Records of Harris County, Texas. *see*

Neighborhood Name: Arlington Park

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in file number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED in the Official Public Records of Real Property of Harris County Texas on

JUN 28 2004



Dwight L. Kayman
COUNTY CLERK
HARRIS COUNTY TEXAS

AFTER RECORDING PLEASE RETURN TO:

Roxana Weishuhn
Terrabrook Eagle Springs, L.P..
10788 Kempwood
Houston, Texas 77043-1418 *JU*