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

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.

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 single family residence in the Neighborhood of **EAGLE SPRINGS, SECTION TWENTY-THREE** shall be 1,200 square feet of living space (air conditioned space).
6. Supplemental Section Twenty-Three Neighborhood Assessments. It is contemplated that the Association will incur extraordinary expenses in respect to Eagle Springs, Section Twenty-Three not incurred with respect to other subdivisions under its jurisdiction. Such extraordinary expenses may include, but is not limited to, maintenance of private streets (alleys). In order to pay for such additional expenses and services, an annual assessment called the Supplemental Section Twenty Three Neighborhood Assessment is hereby fixed and established against each of the Lots.
7. The front building line setback for Lots 4, 5, 6, 9, 10, 11, 17, 18, 21 through 26, 73, 74 and 75 of Block 1, as shown in table of attached Exhibit "B", is hereby increased to ten (10) feet.
8. The front building line setback for Lots 1, 2, 3, 4, 13, 14, 16, 17, 18, 21 through 24, 28, 31, 32, 35, 36 and 37 of Block 2, as shown in table of attached Exhibit "B", is hereby increased to ten (10) feet.
9. The front building line setback for Lots 3, 7, 8, 14, 15, 16, 72, 76 and 77 of Block 1, as shown in table of attached Exhibit "B", is hereby increased to thirteen (13) feet.
10. The front building line setback for Lots 10, 11, 12, 19, 20, 33 and 34 of Block 2, as shown in table of attached Exhibit "B", is hereby increased to thirteen (13) feet.
11. The front building line setback for Lots 1, 2, 12, 13, 19, 20, 27 through 42, and 47 through 71 of Block 1, as shown in table of attached Exhibit "B", is hereby increased to fifteen (15) feet.
12. The front building line setback for Lots 5 through 9, 15, 25, 26, 27, 29, 30, 38, and 39 of Block 2, as shown in table of attached Exhibit "B", is hereby increased to fifteen (15) feet.
13. The front building line setback for Lots 43 through 46 of Block 1, as shown in table of attached Exhibit "B", is hereby increased to twenty (20) feet.
14. The rear building line setback for all lots in Eagle Springs Section Twenty-Three (23) is fifteen (15) feet.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Supplemental Declaration effective as of December 9, 2005.

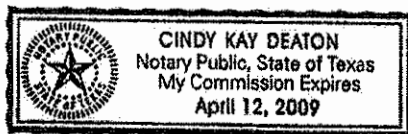
TERRABROOK EAGLE SPRINGS, L.P.
a Delaware limited partnership

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

By: Mark L. Hardy
Name: Mark L. Hardy
Title: Assistant Vice President

THE STATE OF TEXAS §
COUNTY OF HARRIS §

This instrument was acknowledged before me on December 9, 2005, by Mark L. Hardy, Assistant 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.



Cindy Kay Deaton
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

FILED
2005 DEC -9 PM 12:55
COUNTY CLERK
HARRIS COUNTY TEXAS

EXHIBIT "A"

The subdivision known as Eagle Springs Section Twenty-Three (23), a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 594112 of the Map Records of Harris County, Texas.

Neighborhood Name: Arbor Heights

0850-11-0580

EXHIBIT "B"

EAGLE SPRINGS SECTION 23 BUILDING SETBACK TABLE

BLOCK	LOT	FRONT SETBACK LINE IN FEET
1	1	15
1	2	15
1	3	13
1	4	10
1	5	10
1	6	10
1	7	13
1	8	13
1	9	10
1	10	10
1	11	10
1	12	15
1	13	15
1	14	13
1	15	13
1	16	13
1	17	10
1	18	10
1	19	15
1	20	15
1	21	10
1	22	10
1	23	10
1	24	10
1	25	10
1	26	10
1	27	15
1	28	15
1	29	15
1	30	15
1	31	15
1	32	15
1	33	15
1	34	15
1	35	15
1	36	15
1	37	15
1	38	15
1	39	15

BLOCK	LOT	FRONT SETBACK LINE IN FEET
1	40	15
1	41	15
1	42	15
1	43	20
1	44	20
1	45	20
1	46	20
1	47	15
1	48	15
1	49	15
1	50	15
1	51	15
1	52	15
1	53	15
1	54	15
1	55	15
1	56	15
1	57	15
1	58	15
1	59	15
1	60	15
1	61	15
1	62	15
1	63	15
1	64	15
1	65	15
1	66	15
1	67	15
1	68	15
1	69	15
1	70	15
1	71	15
1	72	13
1	73	10
1	74	10
1	75	10
1	76	13
1	77	13

BLOCK	LOT	FRONT SETBACK LINE IN FEET
2	1	10
2	2	10
2	3	10
2	4	10
2	5	15
2	6	15
2	7	15
2	8	15
2	9	15
2	10	13
2	11	13
2	12	13
2	13	10
2	14	10
2	15	15
2	16	10
2	17	10
2	18	10
2	19	13
2	20	13
2	21	10
2	22	10
2	23	10
2	24	10
2	25	15
2	26	15
2	27	15
2	28	10
2	29	15
2	30	15
2	31	10
2	32	10
2	33	13
2	34	13
2	35	10
2	36	10
2	37	10
2	38	15
2	39	15

AFTER RECORDING PLEASE RETURN TO:

Cindy Deaton
Terrabrook Eagle Springs, L.P.
10235 W. Little York, Suite 300
Houston, Texas 77040

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

DEC - 9 2005



Dorothy L. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS