

HOLD FOR:  
MFS Title of Texas, LP  
GF # 3773 OSC

X774065  
07/16/04 100544416

\$15.00

**ANNEXATION AGREEMENT**  
**WORTHAM FALLS, SECTION THREE (3)**

STATE OF TEXAS           §  
                                  §     KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF HARRIS     §

WHEREAS, that certain Declaration of Covenants, Conditions and Restrictions was recorded on October 30, 2002, in the Office of the County Clerk of Harris County, Texas, under Clerk's File No. W185179 (Film Code Reference No. 558-44-0274), of the Official Public Records of Real Property of Harris County, Texas (herein called the "Declaration"), covering that certain tract and parcel therein described and referred to as the Plat of WORTHAM FALLS, SECTION ONE (1), a subdivision in Harris County, Texas, according to the map or plat recorded under County Clerk's File No. W025250, Film Code No. 519280 of the Map Records of Harris County, Texas; and,

WHEREAS, SECTION TWO (2) of WORTHAM FALLS was annexed into and made a part of the Declaration and subject to the jurisdiction of the WORTHAM FALLS HOMEOWNERS ASSOCIATION pursuant to Article VI of the Declaration as evidenced by that certain Annexation Agreement dated September 26, 2003, recorded under County Clerk's File No. X057514, Film Code Reference No. 575-83-1542 of the Official Public Records of Harris County, Texas; and,

WHEREAS, the hereinabove described Declaration is this date valid and subsisting, and vests in the WORTHAM FALLS HOMEOWNERS ASSOCIATION, a Texas non-profit corporation, certain assessments, rights, properties, interests, duties and obligations with respect to WORTHAM FALLS, SECTIONS ONE (1) and TWO (2); and,

WHEREAS, the lots and property described in the plat of WORTHAM FALLS, SECTION THREE, a subdivision of 25.9803 acres of land out of the H. & T.C. R.R. Co. Survey, Abstract No. 1397 in Harris County, Texas, containing 95 Lots in 3 Blocks with 2 Reserves, according to the plat thereof recorded under County Clerk's File No. X431727, Film Code No. 553014 of the Map Records of Harris County, Texas, made a part hereof by reference for all purposes (herein called the "Additional Property"), is contiguous or adjacent to WORTHAM FALLS, SECTION TWO (2), and it would be beneficial for said Additional Property to be a part of the development of WORTHAM FALLS and subject to the jurisdiction of the WORTHAM FALLS HOMEOWNERS ASSOCIATION pursuant to Article VI of the Declaration. 1. el


NOW, THEREFORE, Morrison Homes of Texas, Inc., a Texas corporation, is the owner of the Additional Property, hereby annexes the hereinabove described Additional Property into the WORTHAM FALLS HOMEOWNERS ASSOCIATION (the "Association") with the consent and approval of the Association and the Additional Property is hereby expressly made subject to the terms, conditions and restrictions of the Declaration thereby vesting and granting in the Association assessment rights in favor of the Association and imposing and placing all of the restrictions and covenants within the Declaration on the Additional Property, as if the Additional Property had originally been a part and parcel thereof. It is further understood and agreed that the Association shall (i) enforce the restrictive covenants applicable to the Additional Property brought within its jurisdiction, and (ii) pay for maintenance of the Additional Property, and (iii) allow Lot owners in the Additional Property to use all facilities and amenities of the Association (clauses (i) (ii) and (iii) aforesaid to be done in the same manner as the Association does for SECTIONS ONE AND TWO in WORTHAM FALLS). It is hereby understood and agreed that the Association shall treat the Additional Property in a nondiscriminatory fashion, on

an equal basis, and in the same manner as SECTIONS ONE AND TWO of WORTHAM FALLS.

This Agreement is expressly binding upon and shall inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.


DATED this 1 day of July, 2004 and executed in multiple counterparts, all of which together shall for all purposes constitute one Annexation Agreement, binding on all parties listed below, notwithstanding that all parties below may have not signed the same counterpart.

MORRISON HOMES OF TEXAS, INC.

By:   
Bill Ulrich,  
Division President

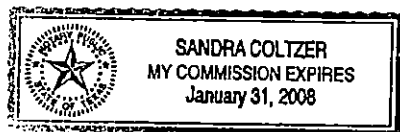
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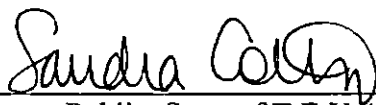
WORTHAM FALLS HOMEOWNERS  
ASSOCIATION

By:   
Scott Teeter,  
President

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

The foregoing instrument was acknowledged this 1 day of July, 2004, by Bill Ulrich, Division President of MORRISON HOMES OF TEXAS, INC., a Texas corporation, on behalf of said corporation.

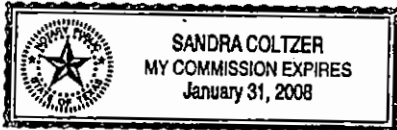


  
Notary Public, State of T E X A S

My commission expires: \_\_\_\_\_

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

The foregoing instrument was acknowledged this 1 day of July, 2004, by Scott Teeter, President of WORTHAM FALLS HOMEOWNERS ASSOCIATION, a Texas non-profit corporation, on behalf of said corporation.



Sandra Coltzner  
Notary Public, State of TEXAS

My commission expires: \_\_\_\_\_

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 stated herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

JUL 16 2004



Dorely B. Kayman  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

FILED  
04 JUL 16 PM 1:54  
COUNTY CLERK  
HARRIS COUNTY, TEXAS  
Dorely B. Kayman