

*Amend*

FIRST AMENDMENT TO DECLARATION  
OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
REMINGTON RANCH

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THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

WHEREAS, KB Home Lone Star LP, a Texas limited partnership, and RR Houston Development, L.P., a Texas limited partnership, as Declarants, caused that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions for Remington Ranch" (the "Declaration") to be recorded in the Official Public Records of Real Property of Harris County on September 17, 2004 under Clerk's File No. X927202, which Declaration imposes various covenants, conditions and restrictions, liens and charges upon the real property described in Exhibit "A" attached to the Declaration; and

WHEREAS, Declarants caused that certain instrument entitled "Supplemental Declaration of Covenants, Conditions and Restrictions for Remington Ranch, Section Six (6)" (the "Supplemental Declaration") to be recorded in the Official Public Records of Real Property of Harris County, Texas on December 22, 2004, under Clerk's File No. Y144952, which Supplemental Declaration imposes additional covenants, conditions and restrictions upon the land comprising Remington Ranch, Section Six (6) (i.e., in addition to the covenants, conditions, restrictions, liens and charges set forth in the Declaration); and

WHEREAS, the Supplemental Declaration was amended by that certain instrument entitled "First Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions for Remington Ranch, Section Six (6)" recorded in the Official Public Records of Real Property of Harris County, Texas on January 26, 2005 under Clerk's File No. Y218242, which amendment relates to the location of Improvements on Lots in Remington Ranch, Section Six (6); and

WHEREAS, Article VIII, Section 8.1, of the Declaration grants to Declarants, for a period of five (5) years after the date the Declaration is recorded, the authority to amend the Declaration, without the joinder or consent of any other party, so long as the amendment does not adversely affect any substantive rights of the Lot Owners; and

98-12-22-688 RR

WHEREAS, Declarants desire to amend the Declaration with regard to the location of Improvements on Lots, which amendment will not adversely affect any substantive rights of the Lot Owners;

NOW, THEREFORE, Declarants hereby amend the Declaration as follows:

1. Article II, Section 2.4C, of the Declaration is hereby amended to read as follows:

**C. LOCATION OF IMPROVEMENTS - SETBACKS.**

No Residential Dwelling, garage or Improvement on a Lot other than fencing and/or landscaping approved by the Architectural Review Committee shall be located nearer to the front property line than the front building line shown on the applicable Plat. No Residential Dwelling, garage or Improvement other than approved fencing and/or landscaping on a Lot shall be located nearer to the rear property line than the rear setback line shown on the applicable Plat. No Residential Dwelling, garage or Improvement other than approved fencing and/or landscaping on a Lot shall be located nearer to the side property line than three (3) feet, except a corner Lot in which case no Residential Dwelling, garage or Improvement other than approved fencing and/or landscaping shall be located nearer to the side property line adjacent to the side street than the side setback line shown on the applicable Plat. Notwithstanding the foregoing, the Architectural Review Committee may grant variances from these setbacks in the manner provided in Article III, Section 3.12, when, in its sole discretion, a variance is deemed necessary or appropriate.

The provisions of this instrument shall not amend or otherwise affect the provisions of the Supplemental Declaration of Covenants, Conditions and Restrictions for Remington Ranch, Section Six (6), or the First Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions for Remington Ranch, Section Six (6).

All capitalized terms used herein shall have the same meanings as that ascribed to them in the Declaration.

Except as amended herein, the provisions of the Declaration remain in full force and effect.


Executed on the date(s) set forth below, to be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

2512-21-688-2737

8642-22-688 RR

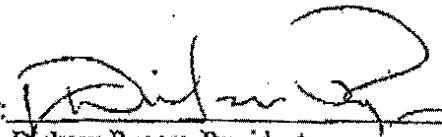
**KB HOME LONE STAR LP**  
a Texas limited partnership  
By: KBSA, Inc. a Texas corporation  
its General Partner

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By:   
Joe R. Zimmerman, Vice President  
Land Development JB

**RR HOUSTON DEVELOPMENT, L.P.**  
a Texas limited partnership  
By: RR Houston Developers, L.L.C,  
a Texas limited liability company  
its General Partner

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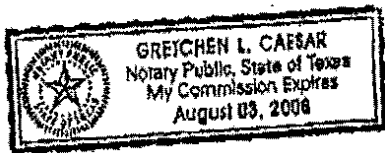
By:   
I. Dickson Rogers, President


THE STATE OF TEXAS  
COUNTY OF HARRIS

NOTARY

BEFORE ME, the undersigned Notary Public, on this day personally appeared Joe R. Zimmerman, Vice President, Land Development of KBSA, General Partner of KB Home Lone Star LP, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 15<sup>th</sup> day of July, 2005.



  
Notary Public in and for the State of Texas

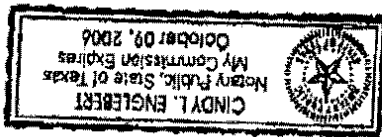
THE STATE OF TEXAS

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COUNTY OF HARRIS

BEFORE ME, the undersigned Notary Public, on this day personally appeared J. Dickson Rogers, President of RR Houston Developers, L.L.C, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 20 day of July, 2005.



*Cindy L. Englebert*  
Notary Public in and for the State of Texas

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Return to:  
Rick S. Butler  
Butler & Hailey, P.C.  
1616 South Voss Road, Suite 500  
Houston, Texas 77057

682-22-688 22

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BY ONE OF COLOR OR RACE IS VOID 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 in the time specified herein by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

Remington, D. 2005 AUG - 9 11:30 AM HARRIS COUNTY, TEXAS

2005 AUG - 9 PM 3:03

FILED

AUG - 9 2005



*Remington D. ...*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS