

AFTER RECORDING RETURN TO:

Judd A. Austin, Jr., Esq.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

**THIRD AMENDMENT
TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR THE VILLAGE AT FRISCO LAKES**

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

INTRODUCTORY PROVISIONS

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes was executed by Fulte Homes of Texas, L.P., as Declarant, and filed of record on March 27, 2006, as Instrument No. 2006-34621 in the Official Public Records of Denton County, Texas (the "Village at Frisco Lakes Declaration"); and

WHEREAS, the Villages at Frisco Lakes Declaration was amended by virtue of that certain First Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes, filed on January 22, 2008, and recorded as Instrument No. 2008-6641 of the Official Public Records of Denton County, Texas (the "First Amendment"); and

WHEREAS, the Villages at Frisco Lakes Declaration was amended by virtue of that certain First Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at

Frisco Lakes, filed on October 8, 2008, and recorded as Instrument No. 2008-109874 of the Official Public Records of Denton County, Texas (the "Second Amendment"); and

WHEREAS, the Village at Frisco Lakes Declaration, the First Amendment, and the Second Amendment affect certain tracts or parcels of real property located in Denton County, Texas, more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Properties"); and

WHEREAS, pursuant to and in accordance with the provisions of Article XXI, Section 21.1 of the Village at Frisco Lakes Declaration, Declarant has the right to amend the Village at Frisco Lakes Declaration, without joinder of any person, for any purpose; and

WHEREAS, Pulte Homes of Texas, L.P., ("Declarant") desires to amend certain provisions of the Village at Frisco Lakes Declaration as evidenced by its duly authorized representative's signature below.

NOW, THEREFORE, the Village at Frisco Lakes Declaration is hereby amended as follows:

(a) The following paragraphs from Section 15.1 of Article XV of the Village at Frisco Lakes Declaration are hereby DELETED:

At a time to be determined in the Declarant's sole discretion, but not later than the termination of the Class "B" Control Period, the Declarant or, upon the direction of the Declarant, an affiliate of the Declarant, may, but is in no way obligated to, convey to the Association all of part of the Golf Course and clubhouse to be located within the property described in Exhibits "A" and "B". Such property shall be accepted by the Association, subject to any restrictions set forth in the deed of conveyance, including but not limited to, restrictions governing the use of such property.

In the event of such conveyance, the Golf Course shall thereafter be deemed Common Area, and the Association shall have the responsibility for the maintenance, operation, and insurance of such Golf Course in accordance with this Declaration; provided, however, the Association shall not make any modification with regard to the maintenance, operation, or insurance of the Golf Course, without prior written consent of the Declarant, so long as the Declarant owns any portion of the Properties or any Private Amenity or has the unilateral right to annex property.

The terms and provisions of the Village at Frisco Lakes Declaration, the First Amendment, and the Second Amendment except as modified herein, are hereby declared to be in full force and effect with respect to the Properties. The Properties shall continue to be held, occupied, sold and conveyed subject to the terms and conditions of the Village at Frisco Lakes Declaration, the First Amendment, the Second Amendment and this Third Amendment, which shall run with title to the Properties, and are binding on all parties having any right, title or interest in and to the Properties or any part thereof, including their heirs, representatives, successors, transferees and assigns, and shall inure to the benefit of each Owner thereof.

IN WITNESS WHEREOF, the Declarant has caused this Third Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes to be filed of record with the office of the Denton County Clerk.

[The Remainder of This Page Intentionally Left Blank]

DECLARANT:

PULTE HOMES OF TEXAS, L.P.,
a Texas limited partnership

By: PNI, Inc.,
its General Partner

By: *SB*
Its: _____

SCOTT BRAYSON
VP OF FINANCE

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 29 day of October, 2010, by SCOTT BRAYSON, VP OF FINANCE of PNI, Inc., as general partner of Pulte Homes Texas, L.P., on behalf of said limited partnership.



Kelly Williams
Notary Public, State of Texas

EXHIBIT "A"

Land Initially Submitted

**THIS STAMP IS FOR SCANNING
PURPOSES ONLY.**

EXHIBIT A: FOR Z# _____, - TRACT 1

BEING A TRACT OF LAND LYING AND BEING SITUATED IN THE D. BLANTON SURVEY, ABSTRACT NUMBER 1456, A. SPARKS SURVEY, ABSTRACT NUMBER 1491, M.E.P. & P. R.R. SURVEY, ABSTRACT NUMBER 919, DAVID E. LAWHORN SURVEY, ABSTRACT NUMBER 727, B.B.B. & C. R.R. COMPANY SURVEY, ABSTRACT NUMBER 171 & 179, AND THE A. SMITH SURVEY, ABSTRACT NUMBER 1194, AND BEING A PORTION OF THOSE TRACTS OF LAND CONVEYED TO PULTIE HOMES OF TEXAS, L.P., ACCORDING TO THE DEED FILED OF RECORD IN DENTON COUNTY CLERK FILE NUMBER 2004-118342, DEED RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING** AT A POINT FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT AT THE "T" INTERSECTION OF HACKBERRY AND ROSE ROADS;
- THENCE** ALONG SAID CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 45°07'44", A RADIUS OF 1500.00 FEET, AN ARC LENGTH OF 1181.47 FEET, A CHORD BEARING OF NORTH 67°08'38" EAST, AND A CHORD LENGTH OF 1151.17 FEET TO A POINT FOR A CORNER;
- THENCE,** NORTH 44°34'46" EAST, A DISTANCE OF 843.57 FEET TO A POINT FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT;
- THENCE** ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 61°38'51", A RADIUS OF 3000.00 FEET, AN ARC LENGTH OF 3227.86 FEET, A CHORD BEARING OF NORTH 75°24'12" EAST, AND A CHORD LENGTH OF 3074.40 FEET TO A POINT FOR A CORNER;
- THENCE,** SOUTH 73°46'22" EAST, A DISTANCE OF 1070.19 FEET TO A POINT FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT;
- THENCE** ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 16°36'29", A RADIUS OF 3000.00 FEET, AN ARC LENGTH OF 869.59 FEET, A CHORD BEARING OF SOUTH 82°04'37" EAST, AND A CHORD LENGTH OF 866.55 FEET TO A POINT FOR A CORNER;

- THENCE, NORTH 89°37'09" EAST, A DISTANCE OF 501.66 FEET TO A POINT FOR CORNER IN THE CURVING WEST LINE OF F.M HIGHWAY 423;
- THENCE ALONG THE WEST LINE OF SAID F.M. HIGHWAY AND SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 4°03'21", A RADIUS OF 5774.57 FEET, AN ARC LENGTH OF 408.76 FEET, A CHORD BEARING OF SOUTH 03°34'32" EAST, AND A CHORD LENGTH OF 408.67 FEET TO A POINT FOR A CORNER;
- THENCE, SOUTH 05°36'12" EAST, A DISTANCE OF 1148.90 FEET TO A POINT FOR CORNER A THE BEGINNING OF A CURVE TO THE RIGHT;
- THENCE ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 2°48'07", A RADIUS OF 5684.58 FEET, AN ARC LENGTH OF 278.00 FEET, A CHORD BEARING OF SOUTH 04°12'09" EAST, AND A CHORD LENGTH OF 277.97 FEET TO A POINT FOR A CORNER;
- THENCE, SOUTH 42°03'26" WEST, A DISTANCE OF 119.00 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 00°59'27" EAST, A DISTANCE OF 62.00 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 89°34'48" EAST, A DISTANCE OF 83.99 FEET TO A POINT FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT;
- THENCE ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 2°36'16", A RADIUS OF 5684.61 FEET, AN ARC LENGTH OF 258.41 FEET, A CHORD BEARING OF SOUTH 00°00'39" WEST, AND A CHORD LENGTH OF 258.38 FEET TO A POINT FOR A CORNER,
- THENCE, SOUTH 01°18'48" WEST, A DISTANCE OF 737.20 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 07°01'26" WEST, A DISTANCE OF 100.50 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 01°18'48" WEST, A DISTANCE OF 100.00 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 04°23'51" EAST, A DISTANCE OF 100.50 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 01°18'48" WEST, A DISTANCE OF 908.80 FEET TO A POINT FOR CORNER;

THENCE, WEST, LEAVING THE WEST LINE OF SAID F.M. HIGHWAY, A DISTANCE OF 976.74 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 39°58'45" WEST, A DISTANCE OF 126.03 FEET TO A POINT FOR CORNER;

THENCE, NORTH 79°52'24" WEST, A DISTANCE OF 100.33 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 36°26'32" WEST, A DISTANCE OF 245.67 FEET TO A POINT FOR CORNER;

THENCE, NORTH 28°54'57" WEST, A DISTANCE OF 204.99 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 16°56'39" WEST, A DISTANCE OF 135.65 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 08°44'03" EAST, A DISTANCE OF 151.41 FEET TO A POINT FOR CORNER;

THENCE, NORTH 85°57'48" WEST, A DISTANCE OF 367.25 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 41°31'39" WEST, A DISTANCE OF 113.53 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 73°01'04" WEST, A DISTANCE OF 497.61 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 43°15'58" WEST, A DISTANCE OF 252.15 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 86°41'56" WEST, A DISTANCE OF 224.54 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 25°29'00" WEST, A DISTANCE OF 196.54 FEET TO A POINT FOR CORNER;

- THENCE, SOUTH 36°27'50" WEST, A DISTANCE OF 212.21 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 04°38'07" WEST, A DISTANCE OF 102.70 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 65°26'31" WEST, A DISTANCE OF 184.58 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 53°52'11" WEST, A DISTANCE OF 205.67 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 67°28'29" WEST, A DISTANCE OF 314.41 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 77°20'45" WEST, A DISTANCE OF 211.45 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 82°20'51" WEST, A DISTANCE OF 423.37 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 68°33'53" WEST, A DISTANCE OF 112.29 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 01°38'47" WEST, A DISTANCE OF 24.43 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 79°31'27" WEST, A DISTANCE OF 1169.59 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 46°44'44" EAST, A DISTANCE OF 1170.60 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 84°36'17" WEST, A DISTANCE OF 1099.63 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 58°37'10" WEST, A DISTANCE OF 361.11 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 08°32'24" WEST, A DISTANCE OF 2051.07 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 01°52'51" WEST, A DISTANCE OF 199.24 FEET TO A POINT FOR CORNER;

- THENCE, NORTH 00°58'32" WEST, A DISTANCE OF 936.34 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 89°53'13" WEST, A DISTANCE OF 501.00 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 02°49'00" EAST, A DISTANCE OF 939.00 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 03°26'06" EAST, A DISTANCE OF 233.00 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 10°23'05" EAST, A DISTANCE OF 1398.27 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 16°55'46" WEST, A DISTANCE OF 130.07 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 67°32'45" WEST, A DISTANCE OF 1301.42 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 26°35'44" WEST, A DISTANCE OF 800.64 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 28°16'16" WEST, A DISTANCE OF 1000.68 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 71°25'42" WEST, A DISTANCE OF 299.96 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 25°38'10" WEST, A DISTANCE OF 470.96 FEET TO A POINT FOR CORNER IN THE EAST LINE OF SARATOGA ADDITION, AN ADDITION TO DENTON COUNTY, TEXAS, RECORDED IN CABINET C, PAGE 36, PLAT RECORDS OF DENTON COUNTY, TEXAS;
- THENCE, NORTH 00°41'09" WEST, ALONG THE EAST LINE OF SAID ADDITION, A DISTANCE OF 1571.87 FEET TO A POINT FOR CORNER AT THE NORTHEAST CORNER OF THE REPLAT OF SARATOGA ADDITION, SECTION TWO, AN ADDITION TO DENTON COUNTY, TEXAS, AS RECORDED IN CABINET M, PAGE 335, PLAT RECORDS OF DENTON COUNTY, TEXAS;

THENCE, SOUTH 89°30'54" WEST, ALONG THE NORTH LINE OF SAID ADDITION, A DISTANCE OF 619.20 FEET TO A POINT FOR CORNER IN THE EAST LINE OF LARIAT;

THENCE, NORTH 01°15'26" WEST, ALONG A PORTION OF LARIAT TO THE INTERSECTION OF HACKBERRY ROAD, AND CONTINUING GENERALLY ALONG THE CENTER OF HACKBERRY ROAD, A DISTANCE OF 2634.65 FEET TO A POINT FOR THE INTERSECTION OF THE CENTER OF SAID ROAD, AND FOR A CORNER OF THIS TRACT;

THENCE, NORTH 89°42'30" EAST, GENERALLY ALONG THE CENTER OF SAID ROAD, A DISTANCE OF 2646.30 FEET TO THE POINT OF BEGINNING, AND CONTAINING 973.64 ACRES OF LAND, MORE OR LESS.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

EXHIBIT "B"

Land Subject to Annexation

ALL THOSE TRACTS OR PARCELS OF LAND located within 2 miles of the property described on Exhibit "A".

THIS STAMP IS FOR SCANNING PURPOSES ONLY.

**** Electronically Filed Document ****

Denton County
Cynthia Mitchell
County Clerk

Document Number: 2010-109315
Recorded As : ERX-AMENDMENT

Recorded On: November 01, 2010
Recorded At: 03:21:06 pm
Number of Pages: 13

Recording Fee: \$59.00

Parties:

Direct- PULTE HOMES PF TEXAS LP
Indirect-

Receipt Number: 736261
Processed By: Matt Ivory

***** THIS PAGE IS PART OF THE INSTRUMENT *****

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 DENTON]

I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

C Mitchell

County Clerk
Denton County, Texas