

**FIRST SUPPLEMENT  
TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
ELDORADO ESTATES PHASE III  
(Annexation)**

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

This **FIRST SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ELDORADO ESTATES PHASE III** (this "First Supplement"), is made on the date hereinafter set forth by **LITTLE ELM/2000, LTD.**, a Texas limited partnership (the "Declarant") for the purpose of evidencing the covenants, conditions and restrictions contained in the Declaration (as defined below).

**WITNESSETH:**

**WHEREAS**, Declarant filed for record that certain **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ELDORADO ESTATES PHASE III** in Volume 5314, Page 2444 of the Real Property Records of Denton County, Texas (the "Declaration");

**WHEREAS**, pursuant to Article VII, Section 7.16(a) of the Declaration, Declarant has the right to add or annex additional real property to the Declaration to be subject to the terms of the Declaration to the same extent as if originally included therein;

**WHEREAS**, Declarant is the owner of certain real property in the Town of Little Elm, Denton County, Texas, which is described in Exhibit "A" attached hereto and incorporated herein by reference for all purposes, and which is being developed as **Eldorado Estates Phase IV** (the "Phase IV Annexed Property"); and

**WHEREAS**, Declarant desires to annex the **Phase IV Annexed Property** to the Declaration to be subject to the terms of the Declaration to the same extent as if originally included therein.

**ANNEXATION:**

**NOW THEREFORE**, Declarant hereby annexes the **Phase IV Annexed Property** to the Declaration for all purposes, and covenants and declares that the **Phase IV Annexed Property** shall be held, sold and conveyed subject to all of the covenants, conditions and restrictions set forth in the Declaration to the same extent as if the **Phase IV Annexed Property** was originally included in the Declaration, all of which are for the purpose of enhancing and protecting the value, desirability and

attractiveness of the Phase IV Annexed Property and the Property (as defined in the Declaration). All of such covenants, conditions and restrictions shall run with the Phase IV Annexed Property and be binding on all parties having or acquiring any right, title or interest in the Phase IV Annexed Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of the Declarant and each Owner thereof.

No FHA or VA approval is required for the annexation of the Phase IV Annexed Property to the Declaration in that Declarant remains as the Class B membership under the Declaration and there are no first lien mortgages in effect with respect to any Lot which is insured by FHA or VA.

With respect to the annexation of the Phase IV Annexed Property to the Declaration, the following definitions shall be applicable:

1. The terms "Property" and/or "Development" as used in the Declaration shall also mean and refer to the Phase IV Annexed Property.
2. The term "Lot" as used in the Declaration shall also mean each individual lot platted in the Phase IV Annexed Property.
3. The term "Plat" as used in the Declaration shall also mean the Final Plat of the Phase IV Annexed Property, as evidenced by that certain real property platted as **ELDORADO ESTATES PHASE IV**, as approved by the Town of Little Elm and filed of record on August 13, 2004, in Cabinet V, Page 830 of the Plat Records of Denton County, Texas.

All of the capitalized terms used in this First Supplement, unless otherwise defined herein, shall have the same meaning as assigned to such terms in the Declaration. This First Supplement is declared to be, in pertinent part only, a restatement of the Declaration and this First Supplement is not made to modify, amend, change, extend, delete, extinguish, alter or revoke the Declaration except as may be expressly set forth herein. The express purpose of this First Supplement is to add the Phase IV Annexed Property to that property which is currently and already subject to the Declaration and the restrictions therein contained and all of said restrictions shall encumber the Phase IV Annexed Property and touch and concern the Phase IV Annexed Property in a like manner as set forth in the Declaration.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereto set its hand this 24 day of August, 2004.

**DECLARANT:**

LITTLE ELM/2000, LTD.,  
a Texas limited partnership

By: J. Baker Corporation, a Texas corporation  
Its: General Partner

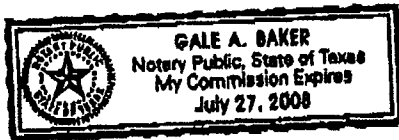
By: *John A. Baker*  
John A. Baker, President

**ACKNOWLEDGMENT**

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared John A. Baker, the President of J. Baker Corporation, a Texas corporation, the General Partner of Little Elm/2000, Ltd., a Texas limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of such partnership, for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 24<sup>th</sup> day of August, 2004.



*Gale A. Baker*  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Gale A. Baker  
My Commission Expires: July 27, 2008