

Denton County  
Cynthia Mitchell  
County Clerk  
Denton, TX 76202



70 2006 00083313

Instrument Number: 2006-83313

Recorded On: July 11, 2006

As  
Restrictions

Parties: ELDORADO ESTATE PH III

Billable Pages: 5

To

Number of Pages: 5

Comment:

**\*\* Examined and Charged as Follows: \*\***

Restrictions	32.00
<b>Total Recording:</b>	<b>32.00</b>

\*\*\*\*\* 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.

**File Information:**

Document Number: 2006-83313  
Receipt Number: 305162  
Recorded Date/Time: July 11, 2006 11:09A

**Record and Return To:**

MICHAEL D HESSE  
HESSE AND HESSE LLP  
15303 DALLAS PKWY STE 1040  
ADDISON TX 75001

User / Station: J Morris - Cash Station 1



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

COPY

**AFTER RECORDING RETURN TO:**

Michael D. Hesse  
HESSE & HESSE, L.L.P.  
15303 Dallas Parkway  
Suite 1040  
Addison, Texas 75001

**SECOND 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 **SECOND SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ELDORADO ESTATES PHASE III** (this "Second 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 "Original Declaration");

**WHEREAS**, Declarant filed for record that certain **FIRST SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ELDORADO ESTATES PHASE III** under County Clerk's Instrument Number: 2004-113565 of the Real Property Records of Denton County, Texas (the "First Supplement");

**WHEREAS**, the Original Declaration and the First Supplement are sometimes collectively referred to as 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 V** (the "Phase V Annexed Property"); and

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

With respect to the annexation of the Phase V 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 V Annexed Property.
2. The term "Lot" as used in the Declaration shall also mean each individual lot platted in the Phase V Annexed Property.
3. The term "Plat" as used in the Declaration shall also mean the Final Plat of the Phase V Annexed Property, as evidenced by that certain real property platted as **ELDORADO ESTATES PHASE V**, as approved by the Town of Little Elm and filed of record on April 26, 2006, in **Cabinet X, Page 31** of the Plat Records of Denton County, Texas.

All of the capitalized terms used in this Second Supplement, unless otherwise defined herein, shall have the same meaning as assigned to such terms in the Declaration. This Second Supplement is declared to be, in pertinent part only, a restatement of the Declaration and this Second 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 Second Supplement is to add the Phase V Annexed Property to that property which is currently and already subject to the

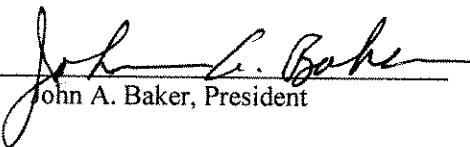
Declaration and the restrictions therein contained and all of said restrictions shall encumber the Phase V Annexed Property and touch and concern the Phase V Annexed Property in a like manner as set forth in the Declaration.

**IN WITNESS WHEREOF**, the undersigned, being the Declarant herein, has hereto set its hand this 10<sup>th</sup> day of July, 2006.

**DECLARANT:**

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

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

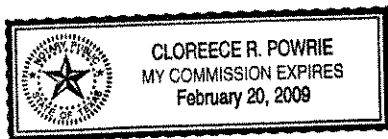
By:   
John A. Baker, President

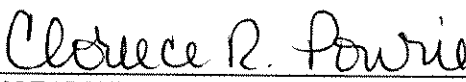
**ACKNOWLEDGMENT**

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 10<sup>th</sup> day of July, 2006.



  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: CLOREECE R. POWRIE  
My Commission Expires: February 20, 2009

**EXHIBIT A**

**LEGAL DESCRIPTION OF PHASE V ANNEXED PROPERTY**

Being All Lots and All Blocks of ELDORADO ESTATES PHASE V, an Addition to the Town of Little Elm, Denton County, Texas, according to the Plat thereof recorded in **Cabinet X, Page 31**, Plat Records, Denton County, Texas.