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Amend
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**THIRD AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
FALL CREEK SINGLE FAMILY RESIDENTIAL AREAS**

[Handwritten signature]

THIS THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FALL CREEK SINGLE FAMILY RESIDENTIAL AREAS (this "Amendment") is made as of the date and year set forth on the signature page hereof, by FALL CREEK DEVELOPMENT PARTNERS, L.P., a Texas limited partnership (herein referred to and acting as "Declarant").

WITNESSETH:

WHEREAS, Declarant executed that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FALL CREEK SINGLE FAMILY RESIDENTIAL AREAS dated September 24, 2001, which was filed on October 3, 2001 under County Clerk's File No. V338181 and recorded in the Official Public Records of Real Property of Harris County, Texas, as amended by Amendment dated December 31, 2002 as filed under County Clerk's File No. W339239 and Second Amendment dated January 2, 2003 as filed under County Clerk's File No. X374475 (collectively, the "Declaration") and which presently encumbers the Lots in various subdivisions in the Fall Creek project in Harris County, Texas; and

WHEREAS, in accordance with Section 5 of Article X of the Declaration, the Declarant desires to amend the Declaration in certain respects.

NOW, THEREFORE, the Declarant hereby amends the Declaration as follows:

1. Section 38 of Article I of the Declaration is hereby amended and restated in its entirety as follows:

"SECTION 38. "Single Family Residence" shall mean and refer to a residence (whether attached or detached) constructed on a single Lot."

2. Except as expressly amended hereby, the Declaration of Covenants, Conditions and Restrictions for Fall Creek Single Family Residential Areas as previously amended is not affected hereby and the same is ratified as being in full force and effect.

[Remainder of page intentionally blank]

IN WITNESS WHEREOF, this Third Amendment is executed this 20 day of February, 2007.

FALL CREEK DEVELOPMENT PARTNERS, L.P., a Texas limited partnership

By: El Dorado Tract GP, Inc., general partner

By: [Signature]
Stephen M. Pierce, Vice President

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THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 20 day of February, 2007 by Stephen M. Pierce, Vice President of El Dorado Tract GP, Inc., a Texas corporation which is the general partner of Fall Creek Development Partners, L.P., a Texas limited partnership, on behalf of said limited partnership.

[Seal]

[Signature]
Notary Public—State of Texas



After Recording, Return To: TWH

COATS | ROSE
A Professional Corporation
Attorneys at Law
3 Greenway Plaza
Suite 2000
Houston, Texas 77046

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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 the number Sequence on the date and at the stamped location by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County Texas on

FEB 23 2007



[Signature]
COUNTY CLERK
HARRIS COUNTY, TEXAS

FILED FOR RECORD
8:00 AM

FEB 23 2007

[Signature]
County Clerk, Harris County, Texas