

After Recording Return To:
Forestar Real Estate Group
14755 Preston Road #710
Dallas, TX 75254
Attn. Barbara Losey

ACKNOWLEDGEMENT COPY

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR GABLES AT NORTHHILL**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GABLES AT NORTHHILL (this "First Amendment") is made by FORESTAR (USA) REAL ESTATE GROUP INC. (formerly known as Lumbermen's Investment Corporation, by change of name only) (hereinafter referred to as the "Declarant").

WITNESSETH:

WHEREAS, Declarant executed a Declaration of Covenants, Conditions and Restrictions for Gables at NorthHill (the "Original Declaration"), dated effective as of the 18th day of November, 2004, applicable to certain real property (the "Property") described in Exhibit "A" attached thereto and located within the City of Murphy, Collin County, State of Texas, which Original Declaration was filed for record on November 19, 2004, as Document No. 2004-0167975 and recorded in Volume 5800, Page 2644 of the Deed Records of Collin County, Texas;

WHEREAS, Declarant is entitled to cast, not less than seventy-five percent (75%) of the total votes, in the aggregate, of the Association (as defined in the Original Declaration);

WHEREAS, Declarant desires to amend the Original Declaration as hereinafter set forth;
and

WHEREAS, Article X, Section 2 of the Original Declaration expressly permits the amendment of the Original Declaration.

NOW, THEREFORE, the Declarant hereby declares as follows:

1. Except to the extent otherwise expressly set forth herein, all capitalized terms shall have the identical meanings as those set forth in the Original Declaration.
2. Article VIII, Section 13 of the Original Declaration shall be and is hereby amended to read in its entirety as follows:

“Section 13. Fences. No fence, wall or hedge shall be erected or maintained on any Affected Lot nearer to the street than the building setback lines for the front and side yards. Unless otherwise approved in writing by either Declarant, Successor Declarant or the Committee (hereinafter defined), no fence, wall or hedge shall be erected or maintained on any Affected Lot which shall exceed eight feet (8') in height. With respect to Affected Lots that are located on a street corner, the portion of the fence that is adjacent to the street shall have brick or masonry columns every fifteen feet (15') or at such greater spacing distance as may be approved in writing by either Declarant, Successor Declarant or the Committee. Unless otherwise approved in writing by either Declarant, Successor Declarant or the Committee, the brick or masonry material must match the predominant brick or masonry material used on the Unit located on the Affected Lot.”

3. The Original Declaration, except as expressly amended herein, remains in full force and effect and is hereby ratified and confirmed.

EXECUTED effective as of 2/28, 2008.

DECLARANT:

**FORESTAR (USA) REAL ESTATE GROUP
INC. (formerly known as Lumbermen's
Investment Corporation, by change of name
only)**

By: 

Name: Thomas H. Burleson

Title: Executive Vice President

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By: 

Name: Thomas H. Burleson

Title: Executive Vice President

Filed and Recorded
Official Public Records
Stacey Kemp
Collin County, TEXAS
03/06/2008 11:58:26 AM
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Stacey Kemp