

FIRST NOTICE OF ADDITION OF LAND TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

MILWOOD SECTION FORTY-B

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

THAT WHEREAS, by instrument dated September 10, 1998, CONTINENTAL HOMES OF TEXAS, L. P., a Texas limited partnership ("Declarant"), imposed a certain Declaration of Covenants, Conditions, and Restrictions - Milwood Section Forty-A, recorded in Document No. 9853595 in the Official Records of Williamson County, Texas ("Declaration") upon Milwood Section Forty-A, a subdivision of record in Williamson County, Texas, according to the map or plat of record in Cabinet P, Slides 167-170, Plat Records of Williamson County, Texas (the "Property");

WHEREAS, Declarant desires to add land to the Property which is presently encumbered by the Declaration, known as:

**Milwood Section Forty-B**, a subdivision in Williamson County, Texas, according to the map or plat of record in Cabinet Q, Slides 61-64, Plat Records of Williamson County, Texas ("Section 40B"); and

WHEREAS, pursuant to Section 2.02 of the Declaration, Declarant may, at any time, and from time to time, add land to the Property as described in said Section.

WHEREAS, Declarant desires to add Section 40B to the Declaration such that all land within Section 40B shall be fully bound and governed by, and subject to, the Declaration as if Section 40B had been originally bound by the Declaration.

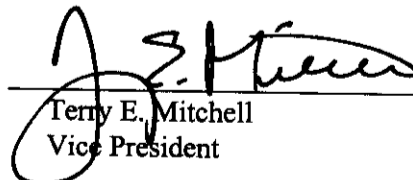
NOW, THEREFORE, Declarant hereby (i) confirms that Section 40B is a portion of the land described in Section 2.02 of the Declaration and (ii) declares that Section 40B shall be held, sold, conveyed and occupied subject to the easements, restrictions, covenants, conditions, assessments, liens, charges and other terms (collectively, the "Restrictions") stated in the Declaration and such Restrictions shall run with the land of Section 40B or any part thereof, and shall be binding upon all parties having any right, title or interest in and to Section 40B or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each owner thereof and to the Association (as defined in the Declaration), if any, and (iii) that any deed, contract or other document purporting to convey any right, title or interest in or to Section 40B, or any portion thereof shall be conclusively held to have been executed, delivered and accepted subject to the Restrictions regardless of whether the same are set out or referred to in said deed, contract or other document.

IN WITNESS WHEREOF, Declarant has executed this instrument to be effective on the 7<sup>th</sup> day of December, 1998.

DECLARANT:

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

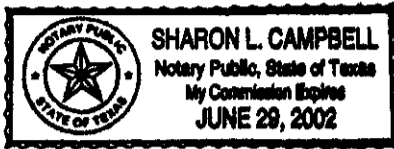
By:    CHTEX of Texas, Inc.,  
          a Delaware corporation, its sole general partner

By:   
Terry E. Mitchell  
Vice President

OFFICIAL RECORDS  
WILLIAMSON COUNTY, TEXAS

STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 7<sup>th</sup> day of December, 1998, by Terry E. Mitchell, Vice President of CHTEX of Texas, Inc., a Delaware corporation, sole general partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said partnership.



*Sharon L. Campbell*  
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Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

(2) Milburn Homes Legal Dept.  
4515 Seton Center Parkway, #200  
Austin, Texas 78759

Doc# 9872679  
# Pages: 2  
Date : 12-09-1998  
Time : 07:58:31 A.M.  
Filed & Recorded in  
Official Records  
of WILLIAMSON County, TX.  
NANCY E. RISTER  
COUNTY CLERK  
Rec. \$ 11.00