

**AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
AMBER WOOD AT FALL CREEK**

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AMBER WOOD AT FALL CREEK (this "Amendment") is made as of the 16TH day of December, 2010, by DUNHILL HOMES, LLC, a Texas limited liability company (herein referred to as "Declarant").

WITNESSETH:

WHEREAS, Pasquinelli Portrait Homes - Creekside LP, a Texas limited partnership ("Original Declarant") executed that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AMBER WOOD AT FALL CREEK (the "Declaration"), which was filed under County Clerk's File No. 20070701422, refiled under Clerk's File No. 20070721948 and recorded in the Official Public Records of Real Property of Harris County, Texas (the "Official Records") which imposed covenants, conditions and restrictions on certain property described therein and made subject to the Declaration; and

WHEREAS, Guaranty Plus Properties, LLC - 2, became the holder of the rights of the declarant under the Declaration by virtue of that certain Corrected Substitute Trustee's Deed filed under Clerk's File No. 20090497816 and recorded in the Official Records; and

WHEREAS, by that certain Assignment of Declarant's Rights instrument dated July 28, 2010 filed under Clerk's File No. 20100345730 and recorded in the Official Records, DH Amber Wood, LLC, acquired the status and rights of the declarant under the Declaration from Guaranty Plus Properties, LLC - 2; and

WHEREAS, by that certain Assignment of Declarant's Rights instrument dated October 27, 2010 filed under Clerk's File No. 20100472861 and recorded in the Official Records, Declarant, acquired the status and rights of the declarant under the Declaration from DH Amber Wood, LLC; and

WHEREAS, Section 3 of Article XIII of the Declaration provides that it may be amended by the owners of not less than 67% of the lots encumbered by the Declaration and Article XI of the Declaration gives the Declarant the right and power to amend the Declaration in the manner specified in such Article; and

WHEREAS, the Declarant is the owner of not less than 67% of the Lots encumbered by the Declaration and wishes to amend the Declaration as hereinafter specified.

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

1. Exhibit A attached to the Declaration which is a description of the Properties (as defined in the Declaration) is amended to delete the 15.29 acre tract of land which is labeled "Tract 1-Fee" and is described by metes and bounds in such Exhibit A (the "15.29 Acre Tract").

2. The 15.29 Acre Tract shall hereafter not be a part of the Properties and shall not be encumbered by the Declaration.

3. Except as expressly amended hereby, the Declaration of Covenants, Conditions and Restrictions for Amber Wood at Fall Creek is not affected hereby and the same is ratified as being in full force and effect.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, this Amendment is executed as of the date specified above.

DECLARANT:

DUNHILL HOMES, LLC,
a Texas limited liability company

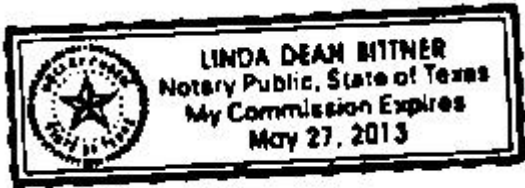
By: orig. signed by Richard Dix
Name: Richard Dix, President

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on Dec. 16 2010 by Richard Dix, President of Dunhill Homes, LLC, a Texas limited liability company, on behalf of said limited liability company.

(SEAL)

orig. signed by Linda Bittner
Notary Public in and for
the State of Texas



Return to: DR ✓✓
First American Title Insurance Company
1220 Augusta Drive, Suite 120
Houston TX 77057
6A 1518470

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 place shown by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County Texas on

DEC 28 2010



Brenda B. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS

Brenda B. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS

2010 DEC 28 PM 2:19

FILED