

**AFTER RECORDING RETURN TO:**

**Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701**



AMEND 2007139497  
74 PGS

**FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

ADDING UNITS 1301, 1302, 1303, 1401, 1402, 1403, 1501, 1502, 1503, 1601, 1602, 1603,  
4501, 4502, 4503

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums  
recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas**

**FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums (the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating fifteen (15) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to twenty-seven (27), and the total number of Units which Declarant has reserved the right to create by amendment is equal to three hundred twenty-three (323).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10* of Appendix "A" to the Declaration, Declarant hereby creates fifteen (15) Units, which are designated as Unit Nos. 1301, 1302, 1303, 1401, 1402, 1403, 1501, 1502, 1503, 1601, 1602, 1603, 4501, 4502, and 4503 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. Replacement of Attachment 2. The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

*[SIGNATURE PAGE FOLLOWS]*

EXECUTED to be effective as of the 27<sup>th</sup> day of July, 2007.

**DECLARANT:**

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

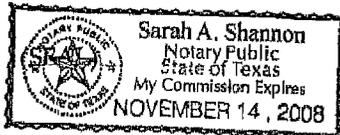
By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: Jennifer S. Werchan  
Printed Name: Jennifer S. Werchan  
Title: Asst. Secretary

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 27<sup>th</sup> day of July, 2007 by Jennifer S. Werchan, Asst. Secretary of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



Sarah A. Shannon  
Notary Public Signature

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701



DSG HMST 2007157992  
75 PGS

**SECOND AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

ADDING UNITS 801, 802, 803, 901, 902, 903, 1001, 1002, 1003, 4701, 4702, AND 4703

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas as amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County**

**SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas as amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating twelve (12) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to thirty-nine (39), and the total number of Units which Declarant has reserved the right to create by amendment is equal to three hundred eleven (311).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10* of Appendix "A" to the Declaration, Declarant hereby creates twelve (12) Units, which are designated as Unit Nos. 801, 802, 803, 901, 902, 903, 1001, 1002, 1003, 4701, 4702, and 4703 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

*[SIGNATURE PAGE FOLLOWS]*

EXECUTED to be effective as of the 23<sup>rd</sup> day of August, 2007.

**DECLARANT:**

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

By: **CHTEX of Texas, Inc.**, a Delaware corporation, its General Partner

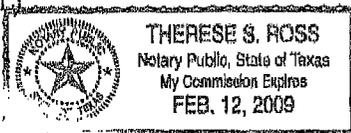
By: Jennifer S. Werchan  
Printed Name: Jennifer S. Werchan  
Title: Assistant Secretary

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 23<sup>rd</sup> day of Aug, 2007 by Jennifer S. Werchan, Asst. Secretary of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



T.S. Ross  
Notary Public Signature

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701



76



AMEND 2007160069

76 PGS

**THIRD AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

ADDING UNITS 601, 602, 603, 4901, 4902, 4903, 5001, 5002 AND 5003

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County and further amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County

**THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County and further amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to forty-eight (48), and the total number of Units which Declarant has reserved the right to create by amendment is equal to three hundred and two (302).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10* of Appendix "A" to the Declaration, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 601, 602,

603, 4901, 4902, 4903, 5001, 5002 and 5003 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

**[SIGNATURE PAGE FOLLOWS]**

EXECUTED to be effective as of the 27<sup>th</sup> day of August, 2007.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

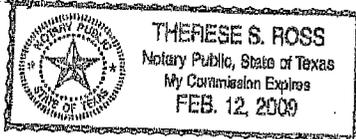
By: *Jennifer S. Werchan*  
Printed Name: Jennifer S. Werchan  
Title: Asst. Secretary

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 27<sup>th</sup> day of Aug, 2007 by Jennifer S. Werchan Asst. Sec. of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



*T. S. Ross*  
Notary Public Signature



**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701



DECLAR 2007161902  
77 PGS

**FOURTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

ADDING UNITS 1201, 1202, 1203, 2101, 2102, 2103, 4101, 4102, 4103, 4301, 4302, 4303,  
4401, 4402, 4403, 4601, 4602 AND 4603

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County and further amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County.

**FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County and further amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10 of Appendix "A"* to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8 of Appendix "A"* to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating eighteen (18) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to sixty-six (66), and the total number of Units which Declarant has reserved the right to create by amendment is equal to two hundred and eighty-four (284).

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10* of Appendix "A" to the Declaration, Declarant hereby creates eighteen (18) Units, which are designated as Unit Nos. 1201, 1202, 1203, 2101, 2102, 2103, 4101, 4102, 4103, 4301, 4302, 4303, 4401, 4402, 4403, 4601, 4602 and 4603 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT.**

2. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. Replacement of Attachment 2. The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

**[SIGNATURE PAGE FOLLOWS]**

EXECUTED to be effective as of the 28<sup>th</sup> day of August, 2007.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: Jennifer S. Werchan  
Printed Name: Jennifer S. Werchan  
Title: Asst. Secretary

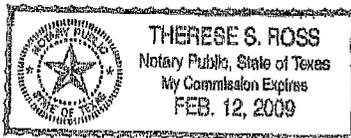
THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 28<sup>th</sup> day of Aug, 2007 by Jennifer S. Werchan Asst. Sec. of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)

[Signature]  
Notary Public Signature





CONDO DE 2007178504

77 PGS



**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701

**FIFTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

ADDING UNITS 1101, 1102, 1103, 2201, 2202, 2203, 4801, 4802 AND 4803

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County and further amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County.

**FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County and further amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to seventy-five (75), and the total number of Units which Declarant has reserved the right to create by amendment is equal to two hundred and seventy-five (275).

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10* of Appendix "A" to the Declaration, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 1101, 1102, 1103, 2201, 2202, 2203, 4801, 4802 and 4803 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. Replacement of Attachment 2. The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

**[SIGNATURE PAGE FOLLOWS]**

EXECUTED to be effective as of the 25<sup>th</sup> day of Sept., 2007.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

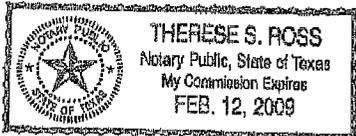
By: Jennifer S. Werchan  
Printed Name: Jennifer S. Werchan  
Title: Assistant Secretary

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 25<sup>th</sup> day of Sept., 2007 by Jennifer S. Werchan Asst. Sec of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



[Signature]  
Notary Public Signature

78



**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701



CONDO DE 2007222203

78 PGS

**SIXTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

ADDING UNITS 701, 702, 703, 1701, 1702, 1703, 1901, 1902, 1903, 4201, 4202, AND 4203

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County and further amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County.

**SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County and further amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating twelve (12) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to eighty-seven (87), and the total number of Units which Declarant has reserved the right to create by amendment is equal to two hundred and sixty-three (263).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10* of Appendix "A" to the Declaration, Declarant hereby creates twelve (12) Units, which are designated as Unit Nos. 701, 702, 703, 1701, 1702, 1703, 1901, 1902, 1903, 4201, 4202 and 4203 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the 11<sup>th</sup> day of December, 2007.

**DECLARANT:**

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

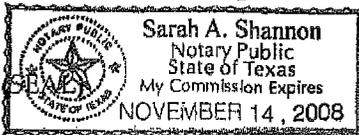
By: CHTEX of Texas, Inc., a Delaware corporation, its  
General Partner

By: Jennifer S. Werchan  
Printed Name: Jennifer S. Werchan  
Title: Assistant Controller

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 11<sup>th</sup> day of December 2007 by Jennifer S. Werchan, Assistant Controller of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



Sarah A. Shannon  
Notary Public Signature



AMEND 2008009449

79 PGS

79  
1/1/08**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701

**SEVENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

ADDING UNITS 1801, 1802, 1803, 2001, 2002, 2003, 2301, 2302 AND 2303

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County. amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County and further amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County.

317659-2 01/18/2008

**SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County and further amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to ninety-six (96), and the total number of Units which

Declarant has reserved the right to create by amendment is equal to two hundred and fifty-four (254).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10* of Appendix "A" to the Declaration, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 1801, 1802, 1803, 2001, 2002, 2003, 2301, 2302 and 2303 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the 21<sup>st</sup> day of January, 2008.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: *Burl B. McClendon*  
Printed Name: \_\_\_\_\_

Title: Secretary

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 21<sup>st</sup> day of January, 2008 by Burl McClendon, III, Secretary of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



*Sarah A. Shannon*  
Notary Public Signature

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701

**EIGHTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County and further amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County.

321563-1 02/27/2008

**EIGHTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County and further amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10(vii)* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to resolve conflicts, clarify ambiguities, and to correct misstatements, errors or omissions.

C. Declarant desires to amend the Declaration for the purposes of correcting an error.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats

and Plans") are substituted in their place. The Plats and Plans previously attached to the Declaration contained incorrect plan types. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act; and (iv) correct the plan types assigned to the Units.

2. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

*[SIGNATURE PAGE FOLLOWS]*

EXECUTED to be effective as of the 28th day of February, 2008.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By:   
Printed Name: Jennifer S. Werchan  
Title: Assistant Secretary

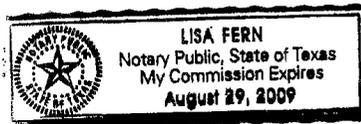
THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 28th day of February, 2008 by Jennifer Werchan, Asst. Secretary of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)

  
Notary Public Signature



**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701



AMEND 2008049039  
83 PGS

**NINTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

ADDING UNITS 2401, 2402, 2403, 2501, 2502, 2503, 2601, 2602, 2603, 2701, 2702,  
2703, 2801, 2802, 2803, 2901, 2902, 2903, 3001, 3002, 3003, 3101, 3102, 3103, 3201,  
3202, 3203, 3301, 3302, 3303, 3401, 3402, 3403, 3501, 3502, 3503, 3601, 3602, 3603, 3701,  
3702, 3703, 3801, 3802, 3803, 3901, 3902, 3903, 4001, 4002, and 4003

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, Texas amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, Texas amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, Texas amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, Texas amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, Texas amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County, Texas; further amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County; and further amended by that certain Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008030546 in the Official Public Records of Travis County, Texas.

**NINTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Ninth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, Texas amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, Texas amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, Texas amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, Texas amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, Texas amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County, Texas; further amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County, Texas; and further amended by that certain Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008030546 in the Official Public Records of Travis County, Texas (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the

Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating fifty-one (51) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred forty seven (147), and the total number of Units which Declarant has reserved the right to create by amendment is equal to two hundred and three (203).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10* of Appendix "A" to the Declaration, Declarant hereby creates fifty-one (51) Units, which are designated as Unit Nos. 2401, 2402, 2403, 2501, 2502, 2503, 2601, 2602, 2603, 2701, 2702, 2703, 2801, 2802, 2803, 2901, 2902, 2903, 3001, 3002, 3003, 3101, 3102, 3103, 3201, 3202, 3203, 3301, 3302, 3303, 3401, 3402, 3403, 3501, 3502, 3503, 3601, 3602, 3603, 3701, 3702, 3703, 3801, 3802, 3803, 3901, 3902, 3903, 4001, 4002, and 4003 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. Replacement of Attachment 2. The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the 21 day of March, 2008.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: *Richard Maier* *MS*

Printed Name: Richard Maier

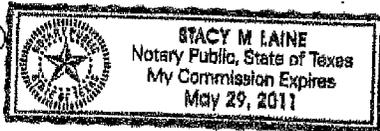
Title: Vice president

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 21 day of March, 2008 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



*Stacy M Laine*  
Notary Public Signature

82



**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701



DECLAR 2008080242  
82 PGS

**TENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**  
*A Residential Condominium, Located in Travis County, Texas*

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, Texas, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, Texas, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, Texas, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, Texas, amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, Texas, amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County, Texas, amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County, Texas, amended by that certain Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008030546 in the Official Public Records of Travis County, Texas and further amended by that certain Ninth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008049039 in the Official Public Records of Travis County, Texas.

**TENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Tenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, Texas, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, Texas, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, Texas, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, Texas, amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, Texas, amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County, Texas, amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County, amended by that certain Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008030546 in the Official Public Records of Travis County, Texas and further amended by that certain Ninth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008049039 in the Official Public Records of Travis County, Texas (collectively, the "Declaration").

B. Pursuant to Section 82.067(f) of the Texas Uniform Condominium Act (the "Act"), Declarant may amend the Declaration to meet the requirements of the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Housing Administration, and the Veterans Administration.

C. Pursuant to Section 82.003(a)(12) of the Act, "development rights" include the right by a declarant in a condominium declaration to convert units into common elements.

D. As set forth more fully hereinbelow, Declarant now desires to exercise its rights pursuant to Sections 82.067(f) and 82.003(a)(12) of the Act and A.3.8 of Appendix "A" to the Declaration to meet the requirements of the Federal Housing Administration to permit underwriting approval of the project and to convert Unit Nos. 2701, 2702, 2703, 2801, 2802, 2803, 2901, 2902, 2903, 3001, 3002, 3003, 3101, 3102, 3103, 3201, 3202, 3203, 3301, 3302, 3303, 3401, 3402, 3403, 3501, 3502, 3503, 3601, 3602, 3603, 3701, 3702, 3703, 3801, 3802, 3803, 3901, 3902, 3903, 4001, 4002, and 4003 in the Regime into General Common Elements. Declarant retains the right to re-convert such General Common Elements into Units as permitted by the Declaration and the Act.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Conversion of Unit into General Common Elements. In accordance with the rights reserved by the Declarant pursuant to Section 82.003(a)(12) and 82.060(a) of the Act and A.3.8 of Appendix "A" to the Declaration, Declarant hereby converts Unit Nos. 2701, 2702, 2703, 2801, 2802, 2803, 2901, 2902, 2903, 3001, 3002, 3003, 3101, 3102, 3103, 3201, 3202, 3203, 3301, 3302, 3303, 3401, 3402, 3403, 3501, 3502, 3503, 3601, 3602, 3603, 3701, 3702, 3703, 3801, 3802, 3803, 3901, 3902, 3903, 4001, 4002, and 4003 in the Regime into General Common Elements (the "Converted Units"). The Units subject to the Declaration after giving effect to this Amendment are: 401, 402, 403, 501, 502, 503, 601, 602, 603, 701, 702, 703, 801, 802, 803, 901, 902, 903, 1001, 1002, 1003, 1101, 1102, 1103, 1201, 1202, 1203, 1301, 1302, 1303, 1401, 1402, 1403, 1501, 1502, 1503, 1601, 1602, 1603, 1701, 1702, 1703, 1801, 1802, 1803, 1901, 1902, 1903, 2001, 2002, 2003, 2101, 2102, 2103, 2201, 2202, 2203, 2301, 2302, 2303, 2401, 2402, 2403, 2501, 2502, 2503, 2601, 2602, 2603, 4101, 4102, 4103, 4201, 4202, 4203, 4301, 4302, 4303, 4401, 4402, 4403, 4501, 4502, 4503, 4601, 4602, 4603, 4701, 4702, 4703, 4801, 4802, 4803, 4901, 4902, 4903, 5001, 5002, 5003, 5101, 5102, 5103, 5201, 5202, and 5203.

2. Replacement of Attachment 1. Attachment 1 attached to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in its place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. Replacement of Attachment 2. Pursuant to Section 82.060(c)(1) of the Act, the Percentage Interests allocated to all Units within the Regime, after conversion of the Converted Units into General Common Elements, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 9 day of May, 2008.

DECLARANT:

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

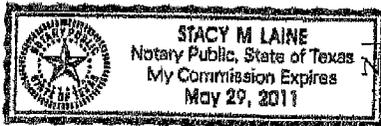
By: [Signature] MP  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 9<sup>th</sup> day of May, 2008 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



[Signature]  
Notary Public Signature



AMEND 2008103630

83 PGS



AFTER RECORDING RETURN TO:

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701

**ELEVENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

**ADDING UNITS**

2701, 2702, 2703, 3701, 3702, 3703, 3801, 3802 AND 3803

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, Texas amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, Texas amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, Texas amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, Texas amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, Texas amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County, Texas; further amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County; further amended by that certain Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008030546 in the Official Public Records of Travis County, Texas, further amended by that certain Ninth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008049039 in the Official Public Records of Travis County, Texas, and further amended by that certain Tenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008080242 in the Official Public Records of Travis County, Texas.

**ELEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Eleventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, Texas, amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, Texas, amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, Texas, amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, Texas, amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, Texas, amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County, Texas; further amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County, Texas; further amended by that certain Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008030546 in the Official Public Records of Travis County, Texas, further amended by that certain Ninth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008049039 in the Official Public Records of Travis County, Texas, and further amended by that certain Tenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008080242 in the Official Public Records of Travis County, Texas (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10 of Appendix "A"* to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8 of Appendix "A"* to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred fourteen (114), and the total number of Units which Declarant has reserved the right to create by amendment is equal to two hundred thirty-six (236).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10 of Appendix "A"* to the Declaration, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 2701, 2702, 2703, 3701, 3702, 3703, 3801, 3802 and 3803 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. Replacement of Attachment 2. The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the 18 day of June, 2008.

DECLARANT:

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

By: CHTEX of Texas, Inc., a Delaware corporation, its  
General Partner

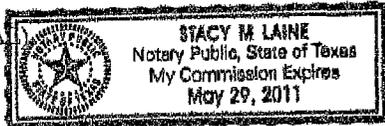
By: *Richard Maier*  
Printed Name: Richard Maier  
Title: Vice President *MP*

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 18<sup>th</sup> day of June, 2008 by  
Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware  
corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership,  
on behalf of said corporation and partnership.

(SEA)



*Stacy M. Laine*  
Notary Public Signature



AMEND 2008117614  
84 PGS



**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701

**TWELFTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A Residential Condominium, Located in Travis County, Texas*

**ADDING UNITS**

2801, 2802, 2803, 2901, 2902, 2903, 3001, 3002, 3003, 3101, 3102, 3103, 3201, 3202, 3203, 3301, 3302, 3303,  
3401, 3402, 3403, 3501, 3502, 3503, 3601, 3602, 3603, 3901, 3902, 3903, 4001, 4002, AND 4003

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, Texas amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, Texas amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, Texas amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, Texas amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, Texas amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County, Texas; further amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County; further amended by that certain Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008030546 in the Official Public Records of Travis County, Texas, further amended by that certain Ninth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008049039 in the Official Public Records of Travis County, Texas, further amended by that certain Tenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008080242 in the Official Public Records of Travis County, Texas; and further amended by that certain Eleventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008103630 in the Official Public Records of Travis County, Texas.

**TWELFTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Twelfth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, amended by that certain First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007139497 in the Official Public Records of Travis County, Texas amended by that certain Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007157992 in the Official Public Records of Travis County, Texas amended by that certain Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007160069 in the Official Public Records of Travis County, Texas amended by that certain Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007161902 in the Official Public Records of Travis County, Texas amended by that certain Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007178504 in the Official Public Records of Travis County, Texas amended by that certain Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007222203 in the Official Public Records of Travis County, Texas; further amended by that certain Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008009449 in the Official Public Records of Travis County, Texas; further amended by that certain Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008030546 in the Official Public Records of Travis County, Texas, further amended by that certain Ninth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008049039 in the Official Public Records of Travis County, Texas, further amended by that certain Tenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008080242 in the Official Public Records of Travis County, Texas, and further amended by that certain Eleventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2008103630 in the Official Public Records of Travis County, Texas (collectively, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8 of Appendix "A"* to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded in the Official Public Records of Travis County, Texas, on July 3, 2007.

D. Declarant desires to amend the Declaration for the purpose of creating thirty-three (33) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred and forty-seven (147), and the total number of Units which Declarant has reserved the right to create by amendment is equal to two hundred and three (203).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.8 and A.3.10 of Appendix "A"* to the Declaration, Declarant hereby creates thirty-three (33) Units, which are designated as Unit Nos. 2801, 2802, 2803, 2901, 2902, 2903, 3001, 3002, 3003, 3101, 3102, 3103, 3201, 3202, 3203, 3301, 3302, 3303, 3401, 3402, 3403, 3501, 3502, 3503, 3601, 3602, 3603, 3901, 3902, 3903, 4001, 4002, AND 4003 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in their entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. Replacement of Attachment 2. The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, will supersede and replace Attachment 2 attached to the Declaration.

4. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

[SIGNATURE PAGE FOLLOWS]



**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701



TRV

2010104265

93 PGS

**DECLARATION OF ANNEXATION AND THIRTEENTH  
AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**ADDING UNITS**

5301, 5302, 5303, 5401, 5402, 5403, 5501, 5502 AND 5503

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded  
as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.**

**DECLARATION OF ANNEXATION AND THIRTEENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR BRODIE HEIGHTS  
CONDOMINIUMS**

This Declaration of Annexation and Thirteenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Section 2.2* and *Section 5.1* of the Declaration, and Appendix "A" attached thereto, during the Development Period, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to: (i) add land to the terms and provisions of the Declaration; and (ii) create Units, General Common Elements and Limited Common Elements.

C. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to annex additional land into the Regime established by the Declaration and to create nine (9) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred and fifty-six (156). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Addition of Lot 3 to the Property. In accordance with the rights reserved by the Declarant pursuant to *Section 2.2* of the Declaration and Appendix "A" attached thereto, Declarant hereby adds Lot 3, Harris Ranch II, a Replat of Lots 1-5, Harris Ranch, a subdivision in Travis County, Texas, according to the map or plat thereof and recorded as Document No. 200800234, of the Official Public Records of Travis County, Texas, to the Property encumbered by the Declaration.

2. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 5301, 5302, 5303, 5401, 5402, 5403, 5501, 5502 and 5503 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

3. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

4. Replacement of Attachment 2. The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

5. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

(SIGNATURE AND NOTARY ON FOLLOWING PAGE)



**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701



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2010105355

**FOURTEENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

**FOURTEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Fourteenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to meet the requirements, standards, or recommended guidelines of an Underwriting Lender to enable an institutional or governmental lender to make or purchase mortgage loans on the Units.

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

1. **Section 13.13.** Section 13.13 is hereby added to the Declaration as stated below:

**13.13 Reporting Obligations of the Association.** The Association shall cooperate and provide information relating to the status of the Regime, potential construction defects, substantial disputes or dissatisfaction among Owners regarding the operation of the Regime, disputes concerning Owners, and disputes over rights, privileges and obligation including, without limitation, Assessments as may be reasonably requested by the Declarant in connection with obtaining any approvals for government financing (including Fannie Mae, Freddie Mac, FHA and VA financing). The Association acknowledges that such cooperation is a benefit to the Owners so as to ensure the availability of government financing and that failure to so cooperate may result in the inability to have government financing available for Units. The Association shall promptly provide a certification or other statements as may be reasonably requested by the Declarant, but no later than five (5) business days after any such request is delivered to the Association.

2. **Effect of Amendment.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written.

(SIGNATURE AND NOTARY ON FOLLOWING PAGE)

EXECUTED to be effective as of the 21 day of July, 2010.

**DECLARANT:**

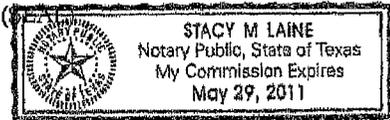
**CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me this 21 day of July, 2010 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

[Signature]

Jul 22, 2010 03:23 PM 2010105355

HAYWOODK: \$24.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS

**AFTER RECORDING RETURN TO:**

**Robert D. Burton, Esq.  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701**

**Armbrust  
& Brown  
PLLC**

Master Planned Community &  
Condominium Practice Group

22  
95



TRV 2010129318  
95 PGS

**FIFTEENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**ADDING UNITS**

**5601, 5602, 5603, 8801, 8802, 8803, 8901, 8902 AND 8903**

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.**

**FIFTEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Fifteenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred and sixty-five (165). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 5601, 5602, 5603, 8801, 8802, 8803, 8901, 8902 and 8903 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

3. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying

number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

4. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

5. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

*(SIGNATURE AND NOTARY ON FOLLOWING PAGE)*

EXECUTED to be effective as of the 1 day of September, 2010.

**DECLARANT:**

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

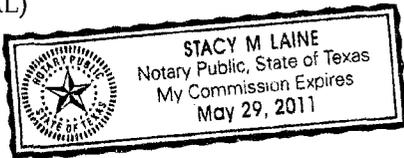
By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: *Richard Meier*  
Printed Name: Richard Meier  
Title: Vice President *RM*

THE STATE OF TEXAS           §  
COUNTY OF TRAVIS           §

This instrument was acknowledged before me this 1 day of September, 2010 by Richard Meier Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



*Stacy M Laine*  
Notary Public Signature

SIXTEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR BRODIE HEIGHTS CONDOMINIUMS

This Sixteenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

RECITALS:

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to Provision A.3.10 of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to meet the requirements, standards, or recommended guidelines of an Underwriting Lender to enable an institutional or governmental lender to make or purchase mortgage loans on the Units.

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

1. Article 18. Article 18 of the Declaration is hereby deleted in its entirety and replaced with the following.

ARTICLE 18
MORTGAGEE PROTECTION

18.1. Introduction. This Article is supplemental to, not a substitution for, any other provision of the Documents. In case of conflict, this Article controls. A provision of the Documents requiring the approval of a specified percentage of Mortgagees will be based on the number of Units subject to mortgages held by Mortgagees. For example, "51 percent of Mortgagees" means Mortgagees of fifty-one percent (51%) of the Units that are subject to mortgages held by Mortgagees.

18.2. Notice of Mortgagee. As provided in this Article 18, the Association is required to provide each Mortgagee with written notice upon the occurrence of certain actions as described in Section 18.8, or to obtain the approval of Mortgagees in the event of certain amendments to this Declaration as described in Section 18.9 or the termination of this Declaration as described in Section 18.4. To enable the Association to provide the notices and obtain such approval, each Owner must provide to the Association the complete name and address of such Owner's Mortgagee, including the loan number and such additional information concerning the Owner's Mortgagee as the Association may reasonably require.

In the event an Owner fails to provide the Association with the information required by this Section 18.2 after the expiration of thirty (30) days after the Association's written request, the Owner's failure to provide such information will be considered a violation of the terms and provisions of this Declaration.

**18.3. Amendment.** This Article establishes certain standards for the benefit of Underwriting Lenders, and is written to comply with their requirements and guidelines in effect at the time of drafting. If an Underwriting Lender subsequently changes its requirements, the Board, without approval of Owners or mortgagees, may amend this Article and other provisions of the Documents, as necessary, to meet the requirements of the Underwriting Lender.

**18.4. Termination.** Termination of the terms of this Declaration and the condominium status of the Regime will be governed by Section 82.068 of the Act, subject to the following provisions. In the event of condemnation of the entire Regime, an amendment to terminate may be executed by the Board without a vote of Owners or Mortgagees. Any election to terminate this Declaration and the condominium status of the Regime under circumstances other than condemnation of the entire Regime shall require the consent of: (i) Owners representing at least eighty percent (80%) of the total votes in the Association; (ii) Declarant during the Development Period; and (iii) sixty-seven percent (67%) of Mortgagees.

**18.5. Implied Approval.** The approval of a Mortgagee is implied when the Mortgagee fails to respond within sixty (60) days after receiving the Association's written request for approval of a proposed amendment, provided the Association's request was delivered by certified or registered mail, return receipt requested.

**18.6. Other Mortgagee Rights.**

**18.6.1. Inspection of Books.** The Association will maintain current copies of the Documents and the Association's books, records, and financial statements. Mortgagees may inspect the Documents and records, by appointment, during normal business hours.

**18.6.2. Financial Statements.** A Mortgagee may have an audited statement prepared at its own expense.

**18.6.3. Attendance at Meetings.** A representative of a Mortgagee may attend and address any meeting which an Owner may attend.

**18.6.4. Right of First Refusal.** The Association does not have a right of first refusal and may not compel a selling Owner to convey the Owner's Unit to the Association. Any right of first refusal imposed by the Association with

respect to a lease, sale, or transfer of a Unit does not apply to a lease, sale, or transfer by a Mortgagee, including transfer by deed in lieu of foreclosure or foreclosure of a deed of trust lien..

18.6.5. Management Contract. If professional management of the Association is required by this Article, the contract for professional management may not require more than ninety (90) days' notice to terminate the contract, nor payment of a termination penalty.

18.7. Insurance Policies. If an Underwriting Lender that holds a mortgage on a Unit or desires to finance a Unit has requirements for insurance of condominiums, the Association must try to obtain and maintain the required coverages, to the extent they are reasonably available, and must try to comply with any notifications or processes required by the Underwriting Lender. Because underwriting requirements are subject to change, they are not recited here.

18.8. Notice of Actions. The Association will use its best efforts to send timely written notice to Mortgagees of the following actions:

- (i) Any condemnation or casualty loss that affects a material portion of the Property or the mortgaged Unit.
- (ii) Any sixty (60) day delinquency in the payment of assessments or charges owed by the Owner of the mortgaged Unit.
- (iii) A lapse, cancellation, or material modification of any insurance policy maintained by the Association.
- (iv) Any proposed action that requires the consent of a specified percentage of Mortgagees.
- (v) Any proposed amendment of a material nature, as provided in this Article.
- (vi) Any proposed termination of the condominium status of the Property.

18.9. Amendments of a Material Nature. A Document amendment of a material nature must be approved by owners representing at least sixty-seven percent (67%) of the votes in the Association, and by at least fifty-one percent (51%) of Mortgagees. **THIS APPROVAL REQUIREMENT DOES NOT APPLY TO AMENDMENTS EFFECTED BY THE EXERCISE OF A DEVELOPMENT RIGHT PROVIDED IN APPENDIX "A" ATTACHED HERETO.** A change to any of the provisions governing the following would be considered

material:

- (i) Voting rights.
- (ii) Assessment liens or the priority of assessment liens.
- (iii) Reductions in reserves for maintenance, repair, and replacement of Common Elements.
- (iv) Responsibility for maintenance and repairs.
- (v) Reallocation of interests in the General Common Elements or Limited Common Elements, or rights to their use; except that when Limited Common Elements are reallocated by Declarant pursuant to any rights reserved by Declarant pursuant to Appendix "A", by agreement between Owners (only those Owners and only the Mortgagees holding mortgages against those Units need approve the action).
- (vi) Redefinitions of boundaries of Units, except that when boundaries of only adjoining Units are involved, then only those owners and the Mortgagees holding mortgages against the Unit or Units need approve the action.
- (vii) Convertibility of Units into Common Elements or Common Elements into Units.
- (viii) Expansion or contraction of the Property, or the addition, annexation, or withdrawal of property to or from the Property.
- (ix) Property or fidelity insurance requirements.
- (x) Imposition of any restrictions on the leasing of Units.
- (xi) Imposition of any restrictions on Owners' right to sell or transfer their Units.
- (xii) Restoration or repair of the Property, in a manner other than that specified in the Documents, after hazard damage or partial condemnation.
- (xiii) Any provision that expressly benefits mortgage holders, insurers, or guarantors.

2. **Eligible Mortgagee.** The use of the defined term "Eligible Mortgagee" contained in the Documents is hereby deleted in its entirety and replaced the term "Mortgagee" as defined in the Declaration.

3. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 13 day of September, 2010.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me this 13 day of September, 2010 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL) 

[Signature]  
Notary Public Signature

**AFTER RECORDING RETURN TO:**

**Robert D. Burton, Esq.  
Armbrust & Brown, PLLC  
100 Congress Ave., Suite 1300  
Austin, Texas 78701**

**Armbrust  
& Brown  
PLLC**

Master Planned Community &  
Condominium Practice Group

**SIXTEENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded  
as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.**



**FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS**

*Dana Debeauvoir*

**DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS**

September 13 2010 04:07 PM

FEE: \$ 40.00 2010134244

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Armbrust & Brown, PLLC  
100 Congress Ave., Suite 1300  
Austin, Texas 78701

**Armbrust  
& Brown**  
PLLC

Master Planned Community &  
Condominium Practice Group

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**SEVENTEENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**ADDING UNITS**

5701, 5702, 5703, 8201, 8202, 8203, 8301, 8302 AND 8303

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

405791-1 12/14/2010

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on **JAN 26 2011**



Dana DeBeauvoir, County Clerk  
By Deputy: **J. S. WILLIAMS**

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on



Dana DeBeauvoir, County Clerk

By Deputy:

JAN 26 2011

J. S. WILLIAMS

## SEVENTEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR BRODIE HEIGHTS CONDOMINIUMS

This Seventeenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

### RECITALS:

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10 of Appendix "A"* to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8 of Appendix "A"* to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred and seventy-four (174). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 5701, 5702, 5703, 8201, 8202, 8203, 8301, 8302 and 8303 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

3. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on **JAN 26 2011**

Dana DeBeauvoir, County Clerk  
By Deputy J. S. WILLIAMS

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

4. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

5. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 20 day of December, 2010.

**DECLARANT:**

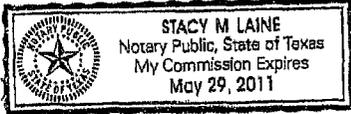
**CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Travis §

This instrument was acknowledged before me this 20 day of December, 2010 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL) 

[Signature]  
Notary Public Signature

I, Dana DeBeauvoir, County Clerk, Travis County,  
Texas, do hereby certify that this is a true and  
correct copy as same appears of record in my office.  
Witness my hand and seal of office on **JAN 26 2011**



Dana DeBeauvoir, County Clerk

By Deputy:

A handwritten signature in black ink, appearing to read "J. S. Williams".

**J. S. WILLIAMS**

**EXHIBIT "A"**

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

**SEE SHEET 1A OF 53 FOR ORIGINAL CERTIFICATION**

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701



TRV  
94 PGS

2011036206

**EIGHTEENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**ADDING UNITS**

8101, 8102, 8103, 8601, 8602, 8603, 8701, 8702 AND 8703

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

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52919-48 03/07/2011

**EIGHTEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Eighteenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred and seventy-four (183). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 8101, 8102, 8103, 8601, 8602, 8603, 8701, 8702 and 8703 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT**.

3. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

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52919-48 03/07/2011

BRODIE HEIGHTS CONDOMINIUMS  
EIGHTEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

4. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

5. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 9 day of March, 2011.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

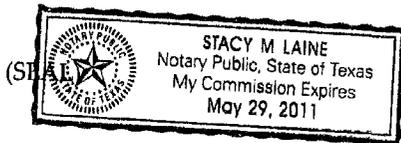
By: [Signature]

Printed Name: Richard Maier jm

Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Travis §

This instrument was acknowledged before me this 9 day of March, 2011 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

EXHIBIT "A"

ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS

*SEE SHEET 1A OF 54 FOR ORIGINAL CERTIFICATION*

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BRODIE HEIGHTS CONDOMINIUMS  
EIGHTEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME



TRV

2011052263

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**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701

**NINETEENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**ADDING UNITS**

**8001, 8002, 8003, 8401, 8402, 8403, 9001, 9002 AND 9003**

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

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52919-48 04/12/2011

**NINETEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Nineteenth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred and ninety-two (192). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 8001, 8002, 8003, 8401, 8402, 8403, 9001, 9002 and 9003 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT**.

3. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

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52919-48 04/07/2011

BRODIE HEIGHTS CONDOMINIUMS  
NINETEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

4. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B" attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

5. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 8 day of April, 2011.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

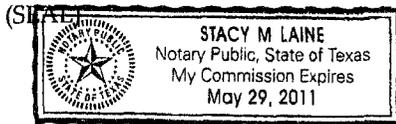
By: [Signature]

Printed Name: Richard Maine

Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Tarrant §

This instrument was acknowledged before me this 8 day of April, 2011 by Richard Maine, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

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52919-48 04/07/2011

BRODIE HEIGHTS CONDOMINIUMS  
NINETEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

**EXHIBIT "A"**

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

**SEE SHEET 1A OF 54 FOR ORIGINAL CERTIFICATION**

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52919-48 04/07/2011

BRODIE HEIGHTS CONDOMINIUMS  
NINETEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME



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94 PGS

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701

**TWENTIETH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**ADDING UNITS**

8501, 8502, 8503, 9101, 9102 AND 9103

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

**TWENTIETH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Twentieth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made **CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to one hundred and ninety-eight (198). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 8501, 8502, 8503, 9101, 9102 and 9103 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT**.

3. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

4. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

5. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 22 day of April, 2011.

**DECLARANT:**

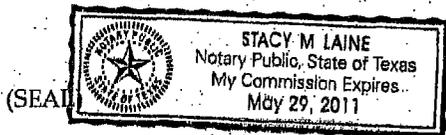
CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Travis §

This instrument was acknowledged before me this 22 day of April, 2011 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

EXHIBIT "A"

ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS

*SEE SHEET 1A OF 54 FOR ORIGINAL CERTIFICATION*



TRV 2011086278  
95 PGS

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701

**TWENTY FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

5801, 5802, 5803, 7901, 7902 AND 7903

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded  
as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.**

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**TWENTY FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Twenty First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made **CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to meet the requirements, standards, recommended guidelines of an Underwriting Lender to enable an institutional or governmental lender to make or purchase mortgage loans on Units.

D. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

E. Declarant desires to amend the Declaration for the purpose of: (i) creating six (6) additional Units; and (ii) to meet the requirements, standards, recommended guidelines of an Underwriting Lender to enable an institutional or governmental lender to make or purchase mortgage loans on Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and four (204). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 5801, 5802, 5803, 7901, 7902 and 7903

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BRODIE HEIGHTS CONDOMINIUMS  
TWENTY FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

(collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Effect of Mortgagee's Foreclosure.** Section 7.3 of the Declaration is hereby deleted in its entirety and replaced with the following:

7.3. **Effect of Mortgagee's Foreclosure.** Foreclosure of a superior lien extinguishes the Association's claim against the Unit for unpaid Assessments that became due before the sale, but does not extinguish the Association's claim against the former Owner. The purchaser at the foreclosure sale of a superior lien is liable for Assessments coming due from and after the date of the sale. Any first mortgagee who obtains title to a Unit pursuant to the remedies in the mortgage or through foreclosure will not be liable for more than six (6) months of the Unit's unpaid Assessments or charges accrued before acquisition of title to the Unit by the mortgagee.

IF YOU FAIL TO PAY ASSESSMENTS TO THE ASSOCIATION, YOU MAY  
LOSE TITLE TO YOUR UNIT IF THE ASSOCIATION FORECLOSES ITS  
ASSESSMENT LIEN AGAINST YOUR UNIT.

3. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

4. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

5. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 13<sup>th</sup> day of June, 2011.

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52919-48 06/13/2011

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME



AFTER RECORDING RETURN TO:

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701



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2011124302

**TWENTY SECOND AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

5901, 5902, 5903, 6001, 6002, 6003, 6101, 6102 AND 6103

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

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52919-48 08/17/2011

**TWENTY SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Twenty Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made **CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and thirteen (213). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 5901, 5902, 5903, 6001, 6002, 6003, 6101, 6102 and 6103 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT**.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B" attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 23 day of August, 2011.

**DECLARANT:**

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

By: CHITEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS  
COUNTY OF Travis

§  
§

This instrument was acknowledged before me this 23 day of August, 2011 by Richard Maier, Vice President of CHITEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



(SEAL)

[Signature]  
Notary Public Signature

EXHIBIT "A"

ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS

*SEE SHEET 1A OF 54 FOR ORIGINAL CERTIFICATION*

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52919-48 08/17/2011

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME



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2011152658

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**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701

**TWENTY THIRD AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

6301, 6302, 6303, 6501, 6502 AND 6503

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

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52919-48 10/03/2011

**TWENTY THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Twenty Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and nineteen (219). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 6301, 6302, 6303, 6501, 6502 and 6503 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

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52919-48 10/03/2011

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 13 day of October, 2011.

**DECLARANT:**

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

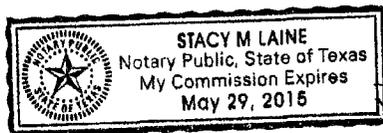
By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Travis §

This instrument was acknowledged before me this 13 day of October, 2011 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



[Signature]  
Notary Public Signature

AUSTIN\_I644302v1  
52919-48 10/03/2011

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

EXHIBIT "A"

ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS

*SEE SHEET 1A OF 55 FOR ORIGINAL CERTIFICATION*

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AUSTIN\_1\644302v1  
52919-48 10/18/2011

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701



TRV  
97 PGS

2012012034

**TWENTY FOURTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

6201, 6202, 6203, 6401, 6402 AND 6403

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

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52919-48 01/10/2012

**TWENTY FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Twenty Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made **CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and twenty-five (225). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 6201, 6202, 6203, 6401, 6402 and 6403 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT**.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

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BRODIE HEIGHTS CONDOMINIUMS  
TWENTY FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 18 day of January, 2012.

**DECLARANT:**

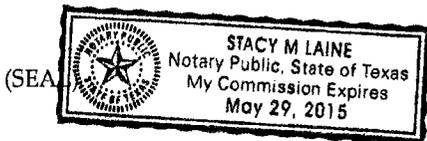
**CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature] JM  
Printed Name: Richard Mauer  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Texas §

This instrument was acknowledged before me this 18 day of January, 2012 by Richard Mauer Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

AUSTIN 1\652401v1  
52919-48 01/18/2012

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

EXHIBIT "A"

ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS

SEE SHEET 1A OF 55 FOR ORIGINAL CERTIFICATION

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AUSTIN\_1\652401v1  
52919-48 01/10/2012

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701



TRV  
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2012046706

**TWENTY FIFTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

6601, 6602, 6603, 6701, 6702 AND 6703

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

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AUSTIN\_1\658462v1  
52919-48 03/15/2012

**TWENTY FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Twenty Fifth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and twenty-five (231). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 6601, 6602, 6603, 6701, 6702 and 6703 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

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52919-48 03/15/2012

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 16 day of March, 2012.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier JM  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Travis §

This instrument was acknowledged before me this 16 day of March, 2012 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)  [Signature]  
Notary Public Signature

**EXHIBIT "A"**

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

***SEE SHEET 1A OF 55 FOR ORIGINAL CERTIFICATION***

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AUSTIN\_1\658462v1  
52919-48 03/15/2012

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701



TRV 2012067851  
99 PGS

**TWENTY SIXTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

6801, 6802, 6803, 6901, 6902, 6903, 7801, 7802, AND 7803

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

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AUSTIN\_1\660898v1  
52919-48 04/27/2012

**TWENTY SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Twenty Sixth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and forty (240). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 6801, 6802, 6803, 6901, 6902, 6903, 7801, 7802, and 7803 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

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52919-48 04/27/2012

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 26 day of April, 2012.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Mailer  
Title: Vice President

*zm*

THE STATE OF TEXAS §  
COUNTY OF TARRANT §

This instrument was acknowledged before me this 26 day of April, 2012 by Richard Mailer, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)  [Signature]  
Notary Public Signature

AUSTIN\_1660898v1  
52919-48 04/26/2012

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

**EXHIBIT "A"**

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

**SEE SHEET 1A OF 56 FOR ORIGINAL CERTIFICATION**

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AUSTIN\_1\660898v1  
52919-48 04/27/2012

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME



TRV 2012098894  
99 PGS

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701

99/11/09

**TWENTY SEVENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

7101, 7102, 7103, 7301, 7302, AND 7303

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

**TWENTY SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Twenty Seventh Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and forty-six (246). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 7101, 7102, 7103, 7301, 7302, and 7303 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 18<sup>th</sup> day of June, 2012.

**DECLARANT:**

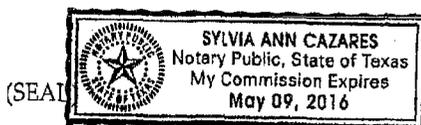
CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Travis §

This instrument was acknowledged before me this 18<sup>th</sup> day of June, 2012 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

EXHIBIT "A"

ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS

SEE SHEET 1A OF 56 FOR ORIGINAL CERTIFICATION

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701



TRV  
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2012110535

*zkn*

**TWENTY EIGHTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

7001, 7002, 7003, 7501, 7502, 7503

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded  
as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.**

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**TWENTY EIGHTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Twenty Eighth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and fifty-two (252). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 7001, 7002, 7003, 7501, 7502, and 7503 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT**.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 5 day of July, 2012.

**DECLARANT:**

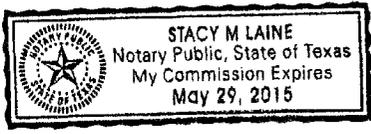
**CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Travis §

This instrument was acknowledged before me this 5 day of July, 2012 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL) 

[Signature]  
Notary Public Signature

EXHIBIT "A"

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*SEE SHEET 1A OF 56 FOR ORIGINAL CERTIFICATION*

AUSTIN\_1 \668474 v1. 52919-48

BRODIE HEIGHTS CONDOMINIUMS  
TWENTY EIGHTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

AFTER RECORDING RETURN TO:

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701

**TWENTY NINTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

TWENTY NINTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR BRODIE HEIGHTS  
CONDOMINIUMS

This Twenty Ninth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made by CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10(i)* of Appendix "A" to the Declaration, during the "Development Period" (as defined in the Declaration), Declarant may amend the Declaration, without the consent of other Owners or any mortgagee to meet the requirements, standards, recommended guidelines of an "Underwriting Lender" (as defined in the Declaration) to enable an institutional or governmental lender to make or purchase mortgage loans on the Units.

C. The Development Period as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of meeting the requirements, standards, and recommended guidelines of an Underwriting Lender.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Ages of Residents. *Section 11.4* of the Declaration is hereby deleted in its entirety.

2. Lease Conditions. *Section 12.1* of the Declaration is hereby deleted in its entirety and replaced with the following:

12.1 Lease Conditions. The leasing of Units is subject to the following conditions: (i) no Unit may be rented for transient or hotel purposes or for a period less than one hundred and eighty (180) days unless otherwise approved in advance by the Board, but in no event may a Unit be leased for less than thirty (30) days; (ii) no Unit may be subdivided for rent purposes, and not less than an entire Unit may be leased; (iii) all leases must be in writing and must be made subject to the Documents; (iv) an Owner is responsible for providing his tenant with copies of the Documents and notifying him of changes thereto; and (v) each

tenant is subject to and must comply with all provisions of the Documents, federal and State laws, and local ordinances.

3. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 4 day of October, 2012.

**DECLARANT:**

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

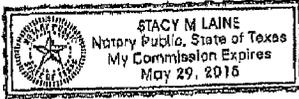
By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Mauer  
Title: Vice President

THE STATE OF TEXAS                    §  
COUNTY OF TRAVIS                   §

This instrument was acknowledged before me this 4 day of October, 2012 by, Richard Mauer, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



[Signature]  
Notary Public Signature



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

[Signature]

DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS  
October 04 2012 04:14 PM

FEE: \$ 24.00 2012168379

**AFTER RECORDING RETURN TO:**

**Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701**



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**THIRTIETH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**ADDING UNITS**

**7601, 7602, 7603, 7701, 7702, 7703**

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded  
as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.**

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**THIRTIETH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Thirtieth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made by CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and fifty-eight (258). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 7601, 7602, 7603, 7701, 7702, and 7703 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT**.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 8 day of October, 2012.

**DECLARANT:**

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

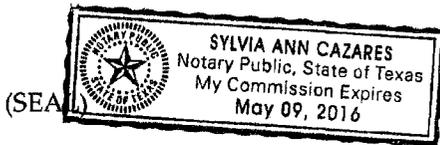
By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

*JM*

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me this 8 day of October, 2012 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

**EXHIBIT "A"**

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*SEE SHEET 1A OF 56 FOR ORIGINAL CERTIFICATION*

AUSTIN\_1 \678268 v1 52919-48

BRODIE HEIGHTS CONDOMINIUMS  
THIRTIETH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701



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**THIRTY FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

7201, 7202, 7203, 7401, 7402, 7403, 9201, 9202, AND 9203

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded  
as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.**

AUSTIN\_I \682018 v1 52919-48

**THIRTY FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Thirty First Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made by **CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "**Regime**"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "**Declaration**").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating nine (9) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and sixty-seven (267). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates nine (9) Units, which are designated as Unit Nos. 7201, 7202, 7203, 7401, 7402, 7403, 9201, 9202, and 9203 (collectively, the "**New Units**"). The New Units are hereby classified as Units which **MUST BE BUILT**.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "**New Plats and Plans**") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B" attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 15 day of November, 2012.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]

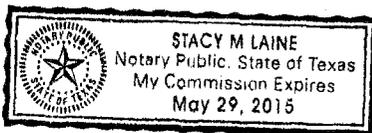
Printed Name: Richard Maur

Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me this 15 day of November, 2012 by Richard Maur, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)



[Signature]  
Notary Public Signature

**EXHIBIT "A"**

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

**SEE SHEET 1A OF 56 FOR ORIGINAL CERTIFICATION**

**Recorders Memorandum**-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

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BRODIE HEIGHTS CONDOMINIUMS  
THIRTY FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

AFTER RECORDING RETURN TO:

Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701

**THIRTY SECOND AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

9301, 9302, 9303, 9401, 9402, AND 9403

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

**THIRTY SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Thirty Second Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made by CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (as amended, the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and seventy-three (273). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 9301, 9302, 9303, 9401, 9402, and 9403 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. Replacement of Attachment 2. The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B" attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 29 day of January, 2013.

DECLARANT:

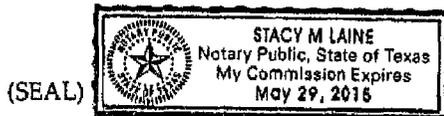
CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Travis §

This instrument was acknowledged before me this 29 day of January, 2013 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

EXHIBIT "A"

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

**SEE SHEET 1A OF 56 FOR ORIGINAL CERTIFICATION**

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BRODIE HEIGHTS CONDOMINIUMS  
THIRTY SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

**AFTER RECORDING RETURN TO:**

**Robert D. Burton, Esq.  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701**

**THIRTY-THIRD AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

**ADDING UNITS  
201, 202, 203**

**Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded  
as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.**

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**THIRTY-THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

This Thirty-Third Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made by CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (the "Declaration").

B. Pursuant to *Provision A.3.10* of Appendix "A" to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8* of Appendix "A" to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating three (3) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and seventy-six (276). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates three (3) Units, which are designated as Unit Nos. 201, 202, 203 (collectively, the "New Units"). The New Units are hereby classified as Units which MUST BE BUILT.

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or

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52919-48 04/16/2013

BRODIE HEIGHTS CONDOMINIUMS  
THIRTY-THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B" attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 18 day of April, 2013.

**DECLARANT:**

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

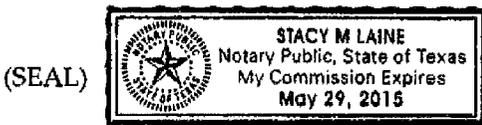
By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Maier  
Title: Vice President

[Signature]

THE STATE OF TEXAS §  
COUNTY OF Williamson §

This instrument was acknowledged before me this 18 day of April, 2013 by Richard Maier, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.



[Signature]  
Notary Public Signature

**EXHIBIT "A"**

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

**SEE SHEET 1A OF 56 FOR ORIGINAL CERTIFICATION**

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**BRODIE HEIGHTS CONDOMINIUMS  
THIRTY-THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME**

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**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.

Winstead, PC

401 Congress Ave., Suite 2100

Austin, Texas 78701

**THIRTY-FOURTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

*A residential condominium community located in Travis County, Texas*

ADDING UNITS

101, 102, 103, 301, 302 AND 303

Cross Reference to Declaration of Condominium Regime for Brodie Heights Condominiums recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended.

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52919-48 11/20/2013

**THIRTY-FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME  
FOR BRODIE HEIGHTS CONDOMINIUMS**

This Thirty-Fourth Amendment to Declaration of Condominium Regime for Brodie Heights Condominiums (the "Amendment") is made by CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. The Brodie Heights Condominiums, a condominium regime (the "Regime"), located in Travis County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Brodie Heights Condominiums, recorded as Document No. 2007122559 in the Official Public Records of Travis County, Texas, as amended (the "Declaration").

B. Pursuant to *Provision A.3.10 of Appendix "A"* to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.8 of Appendix "A"* to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The Development Period is for a term of seven (7) years from the date the Declaration was recorded in the Official Public Records of Travis County, Texas. The Declaration was recorded on July 3, 2007, and the Development Period is still in effect.

D. Declarant desires to amend the Declaration for the purpose of creating six (6) additional Units. The total number of Units within the Regime after giving effect to this Amendment is equal to two hundred and eighty-two (282). Declarant has reserved the right in the Declaration to create a total of three hundred and fifty (350) Units.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and Appendix "A" attached thereto, Declarant hereby creates six (6) Units, which are designated as Unit Nos. 101, 102, 103, 301, 302, and 303 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT.**

2. **Replacement of Attachment 1.** Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying

BRODIE HEIGHTS CONDOMINIUMS  
THIRTY-FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

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assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 2.** The Common Interest Allocation assigned to each Unit within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 2 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective as of the 20 day of November, 2013.

**DECLARANT:**

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

By: CHTEX of Texas, Inc., a Delaware corporation, its General Partner

By: [Signature]  
Printed Name: Richard Mayer  
Title: Vice President

THE STATE OF TEXAS §  
COUNTY OF Williamson §

This instrument was acknowledged before me this 20 day of November, 2013 by Richard Mayer, Vice President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

(SEAL)

[Signature]  
Notary Public Signature



AUSTIN\_1/725306v.1  
52919-48 11/20/2013

BRODIE HEIGHTS CONDOMINIUMS  
THIRTY-FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

**EXHIBIT "A"**

**ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR  
BRODIE HEIGHTS CONDOMINIUMS**

***SEE SHEET 1A OF 57 FOR ORIGINAL CERTIFICATION***

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**BRODIE HEIGHTS CONDOMINIUMS  
THIRTY-FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME**

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