

**FIRST AMENDMENT TO ANNEXATION AND MAINTENANCE
DECLARATION FOR (Section 10, Lots 1-9 Block 1 and Lots 1-4 Block 2, Harbor Lakes)**

**STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF HOOD §**

**THIS FIRST AMENDMENT TO THE
ANNEXATION AND MAINTENANCE DECLARATION (SECTION 10, LOTS 1-9
BLOCK 1 and LOTS 1-4 BLOCK 2 OF HARBOR LAKES HOMEOWNERS
ASSOCIATION, INC. (this "First Amendment") is made this ___ day of _____,
2017, by Harbor Lakes Development Corporation, a Texas Corporation (Declarant) of Harbor
Lakes Homeowners Association, Inc. (the "Association").**

WITNESSETH:

WHEREAS, Declarant executed a Declaration of Covenants, Conditions and Restrictions for Harbor Lakes (the "Original Declaration"), dated effective as of the 27th day of December, 2000, applicable to certain Real property (the "Original Property"), which Original Declaration was recorded on December 28, 2000 in Volume 1726, Page 0001 of the Real Property Records of Hood County, Texas;

WHEREAS, Declarant, with the joinder of T.D. Murphy Construction Company, Inc. and Homes By Dunn, Inc., as Current Owners, amended the Original Declaration pursuant to that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Harbor Lakes (with Joinder of Current Owners) dated as of June 15, 2001, recorded in Volume 1755, Page 0738 of the Real Property Records of Hood County, Texas (the "Amended Declaration"). The Original Declaration, as amended and supplemented by the Amended Declaration and subsequent supplemental declarations of annexation are hereinafter referred to collectively as the "Declaration");

WHEREAS, Forestar (USA) Real Estate Group Inc., a Delaware Corporation and Harbor Lakes Development, LLC, executed an assignment of declarant's rights under declaration of covenants, conditions and restrictions for Harbor Lakes and assumption of declarant's obligations and duties on April 2, 2015.

WHEREAS, Declarant has the absolute and unrestricted right to add additional property to the scheme of the Declaration.

WHEREAS, the Declarant maintain within the Property a planned community of high standards. All of such covenants shall be binding on all parties having any right, title or interest in the Property or any part thereof, their respective heirs, personal representatives, successors' and assigns, and shall inure to the benefit of each Declarant, Successor Declarant (as hereinafter defined), if any, Master Association and Owner (as

hereinafter defined) thereof.

NOW, THEREFORE, the Declarant wishes to amend the following.

Section 4 of the Annexation and Maintenance Declaration for (Section 10, Lots 1-9, Block and Lots 1-4 Block 2 Harbor Lakes) s is deleted in its entirety and replaced with the following:

Section 4. Minimum Dwelling Size Requirements for Section 10 Lots. Notwithstanding anything in Section 20(c) of Article VIII of the Declaration to the contrary, each residence in Section 10 of Harbor Lakes shall have a minimum air conditioned living area excluding the garage of 2,700 square feet on the golf course and 2,300 square feet on non-golf course lots.

EXECUTED as of the _____ day of _____, 2017 but effective on the day and year first above written.

HARBOR LAKES DEVELOPMENT, LLC,
A Texas corporation

By: _____

Name:

Title:

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF HOOD §

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____, _____ of Harbor Lakes Homeowners Association, Inc., a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said non-profit corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ___ day of _____, 2017.

Notary Public

My Commission Expires: _____