



SUMMER LAKES

DECLARATION OF ANNEXATION FOR SECTION 3

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DECLARATION OF ANNEXATION
(Summer Lakes, Section 3)

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

WHEREAS, by that certain Declaration of Covenants, Conditions and Restrictions for Summer Lakes dated July 12, 2004, executed by Summer Creek Development, Ltd., a Texas limited partnership (the "Declarant"), and filed under Clerk's File No. 2004085296 and recorded in the Official Records of Real Property of Fort Bend County, Texas (the "Official Records"), as amended by First Amendment dated October 26, 2004 filed under Clerk's File No. 2004140939 and recorded in the Official Records, as amended by Second Amendment dated June 22, 2005 filed under Clerk's File No. 2005075526 and recorded in the Official Records, as amended by Third Amendment dated October 5, 2006 filed under Clerk's File No. 2006131444 and recorded in the Official Records (the "Declaration"), the single family residential lots within Summer Lakes, Section One (1) and Summer Lakes, Section Two (2), subdivisions of land according to the plats thereof recorded as Plat Nos. 2004111175 and 2004111192, respectively, in the Plat Records of Fort Bend County, Texas, were made subject to the covenants, conditions, restrictions, easements, charges and liens set forth in the Declaration; and

WHEREAS, Declarant is the owner of that certain tract of land (the "Annexed Property") which is in the general vicinity of the property encumbered by the Declaration, which such Annexed Property has been platted and subdivided as Summer Lakes, Section Three (3), a subdivision in Fort Bend County, Texas according to the plat thereof filed under Clerk's File No. 2007050819 and recorded in the Official Records;

WHEREAS, Section 7 of Article X of the Declaration gives the Declarant the right as the owner or, if not the owner, with the consent of the owner, to annex additional property into the jurisdiction of the Summer Lakes Homeowners Association, Inc., a non-profit corporation organized to administer the provisions of the Declaration (the "Association"), and to subject such annexed property to the provisions of the Declaration

WHEREAS, Declarant desires to annex the Annexed Property into the jurisdiction of the Association and to subject the Annexed Property to all of the provisions of the Declaration and to subject such Annexed Property to the additional covenants, conditions and restrictions set forth in this Supplemental Declaration.

NOW, THEREFORE, the Declarant hereby annexes the Annexed Property into the jurisdiction of the Summer Lakes Homeowners Association, Inc. and declares that the Annexed Property shall be a portion of the Properties (as defined in the Declaration)

and shall be subject to all provisions of the Declaration with the following additional restrictions and modifications which shall apply only to the Annexed Property:

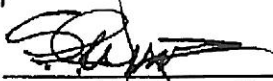
(1) The total living area of each single family dwelling, exclusive of open porches, garages, and carports or parking spaces shall be not more than four thousand (4,000) square feet in the case of a residence located on a Sixty Foot Lot (as that term is defined in the Declaration).

IN WITNESS WHEREOF this Declaration of Annexation is executed the 14th day of DECEMBER, 2007.

DECLARANT:

SUMMER CREEK DEVELOPMENT, LTD.,
a Texas limited partnership

By: CL Texas I GP, LLC, a Georgia limited liability company, its sole general partner

By: 
Samuel L. Wyse, III,
Vice President – Western Region

THE STATE OF TEXAS §
 §
COUNTY OF Dallas §

This instrument was acknowledged before me on December 14, 2007 by Samuel L. Wyse, III, Vice President – Western Region of CL Texas I GP, LLC, a Georgia limited liability company which is the sole general partner of Summer Creek Development, Ltd., a Texas limited partnership, on behalf of said limited partnership.

[Seal]

Siromi C. R. Nadarajah
Notary Public—State of Texas

