

ELEVENTH SUPPLEMENTARY DECLARATION TO THE MASTER DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE VILLAGE OF ELDORADO AND DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE VILLAGE OF ELDORADO, PHASE IV

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This Eleventh Supplementary Declaration to the Master Declaration of Covenants and Restrictions for the Village of Eldorado and Declaration of Covenants and Restrictions, made on the date hereinafter set forth by Beazer Developments, Inc. (hereinafter called "Declarant")

W I T N E S S E T H:

WHEREAS, Highgate Dev. Co., d/b/a HiDevCo, Inc. (hereinafter called the "Original Declarant") has heretofore executed that certain Master Declaration of Covenants and Restrictions for The Village of Eldorado, which was filed for record on February 18, 1981, in Volume 1353, at Page 786 of the Land Records of Collin County, Texas (hereinafter called the "Master Declaration") and Declarant is the successor to the Original Declarant; and

WHEREAS, Declarant is the owner of an 8.093 acre tract of land situated in the William Ryan Survey, Abstract Number 998, in the City of McKinney, Collin County, Texas and being a portion of Phase IV of The Village of Eldorado as recorded by plat in Cabinet C, Page 133 of the Plat Records of Collin County, Texas; and

WHEREAS, the Declarant desires to provide for the preservation of the values and amenities in The Village of Eldorado, Phase IV and to this end, the Declarant desires to subject the real property located within The Village of Eldorado, Phase IV and described in Exhibit A hereto to the Master Declaration and to the covenants, restrictions, easements, charges and liens hereinafter set forth, each and all of which is and are for the benefit of such property and each owner thereof.

NOW, THEREFORE, pursuant to Article II, Section 2 of the Master Declaration the Declarant hereby supplements the Master Declaration and adds thereto all of the real property described in Exhibit A hereto so that all of the terms, conditions, covenants and

restrictions of the Master Declaration shall extend to the real property described in Exhibit A and the owners thereof as though such property was originally described in the Master Declaration, and the Declarant hereby declares that the real property described in Exhibit A shall be held, sold, transferred, conveyed, and occupied subject to the Master Declaration, as supplemented hereby, and to the covenants, restrictions, easements, liens, charges, and conditions hereof.

ARTICLE I

DEFINITIONS

All terms shall have the definitions given them in the Master Declaration unless expressly provided otherwise herein, it being understood that all references to the Original Declarant in the Master Declaration are deemed to refer to the Declarant herein.

ARTICLE II

MEMBERSHIP AND VOTING RIGHTS IN THE ASSOCIATION

The provisions contained in Article III of the aforesaid Master Declaration are hereby adopted and incorporated herein by reference.

ARTICLE III

COVENANTS FOR MAINTENANCE ASSESSMENTS

The provisions contained in Article IV of the aforesaid Master Declaration are hereby adopted and incorporated herein by reference.

ARTICLE IV

ARCHITECTURAL REVIEW COMMITTEE

The provisions contained in Article V of the aforesaid Master Declaration are hereby adopted and incorporated herein by reference.

ARTICLE V

PROTECTIVE COVENANTS

The provisions contained in Article VI of the aforesaid Master Declaration are hereby adopted and incorporated herein by reference

except that Section 2, Section 3, Section 6, and Section 21 shall be modified as follows:

Section 2: The floor area of the main structure, exclusive of one-story open porches and garages shall be as shown on Exhibit B hereto.

Section 3: No dwelling may be occupied until the Architectural Committee has issued a "Certificate of Substantial Completion" certifying that construction has been substantially completed in accordance with approved plans and specifications.

Section 6: No antenna or tower shall be erected on any Lot for any purpose. No antenna shall be affixed to any dwelling on any Lot which is more than three (3) feet above the highest roof line of the dwelling to which it is affixed. Satellite dishes may only be erected if installed within an enclosed area so as not to be visible from adjoining property. The enclosure must be constructed in such a manner as to be architecturally consistent with the design of the house proper. Plans for such enclosure and its location on the Lot must be submitted to the Architectural Committee for its approval prior to construction. It shall be in the Architectural Committee's sole discretion whether to accept the enclosure and its location as being architecturally consistent with the house.

Section 21: No Lot, creek, or drainage easement shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste. All garbage and trash shall be kept in sanitary containers fully enclosed by a walled structure approved by the Architectural Committee.

ARTICLE VI

LIMITATIONS OF RESTRICTIONS ON DECLARANT

The provisions contained in Article VII of the aforesaid Master Declaration are hereby adopted and incorporated herein by reference.

ARTICLE VII

GENERAL PROVISIONS

The provisions contained in Article VIII of the aforesaid Master Declaration are hereby adopted and incorporated herein by reference.

EXHIBIT A

EXHIBIT A
VILLAGE OF ELDORADO
PHASE IV

THE STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, BEAZER DEVELOPMENT, INC. are the owner of an 8.093 acre tract of land situated in the F.C. Wilmetth Survey Abstract Number 998 and the Esom Harris Survey Abstract Number 399 in the City of McKinney, Collin County, Texas and being a portion of the Eldorado Addition an addition to the City of McKinney according to the plat recorded in Cabinet F, Page 489 of the Plat Records of Collin County Texas (PRCCT) and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the southwest corner of the Village of Eldorado, Phase III as recorded in Cabinet F, Page 745 (PRCCT) and being located in the northeasterly right-of-way line of Valley Creek Trail (a 60 feet wide right-of-way) as recorded in Cabinet G, Pages 107 & 108 (PRCCT);

THENCE along the northeasterly right-of-way line of said Valley Creek Trail as follows:

North 49°00'00" West a distance of 711.09 feet to a 5/8 inch iron rod set for the beginning of curve to the right having a radius of 1,708.10 feet, a chord bearing of North 45°42'26" West and a chord length of 196.22 feet;

Continuing along said curve to the right through a central angle of 06°35'08" for an arc length of 196.33 feet to a 5/8 inch iron rod set for the southerly corner of Tract I of Eldorado Country Club, Phase II as recorded in Cabinet G, Page 481 (PRCCT);

THENCE departing the northeasterly right-of-way line of said Valley Creek Trail and following the southerly line of said Tract 1 of Eldorado Country Club, Phase II, North 68°03'39" East a distance of 791.97 feet to a 5/8 inch iron rod found for corner and being located in the westerly line of the Village of Eldorado, Phase I as recorded in Cabinet C, Page 287 (PRCCT);

THENCE along the westerly line of said Village of Eldorado, Phase I, South 00°03'19" East a distance of 400.3 feet to a 5/8 inch iron rod found in the northerly line of said Village of Eldorado, Phase III;

THENCE along the northerly line of said Village of Eldorado, Phase III, South 89°54'35" West a distance of 2.81 feet to a 5/8 inch iron rod found for the northwest corner of said Village of Eldorado, Phase III;

THENCE along the west line of said Village of Eldorado, Phase III, South 01°57'30" West a distance of 539.52 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 8.093 acres or 352,513 square feet of land more or less.

EXHIBIT B

VILLAGE OF ELDORADO

PHASE IV

<u>BLOCK</u>	<u>LOTS</u>	<u>MIN. SQ. FT. LIVING AREA *</u>
A	1-23	2,000

*NOTE: For one and one-half (1-1/2) and two (2) story, add 300 square feet

A ten percent (10%) reduction in the minimum square footage may be allowed at the sole discretion of the Architectural Committee.

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