

TWELFTH 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, SUNSET RIDGE III

92-0007033

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This Twelfth 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 18.962 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 Sunset Ridge III 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, Sunset Ridge III and to this end, the Declarant desires to subject the real property located within The Village of Eldorado, Sunset Ridge III 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 and Section 30 shall be added thereto 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.

Section 30: Lots 11 through 22, Block B, and Lots 30 through 33, Block A shall in all cases have either side or rear entry garages.

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"
Field Note Description

BEING an 18.962 acre tract of land situated in the F.C. Wilmeth Survey, Abstract Number 998 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 set in the northeasterly right-of-way line of Valley Creek Trail (a 60 feet wide right-of-way) as recorded in Cabinet G, Page 107-108 and being the most westerly southwest corner of Tract I of Eldorado Country Club Phase II, an addition to the City of McKinney according to the plat recorded in Cabinet G, Page 481 (PRCCT);

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

North 42°24'52" West a distance of 137.90 feet to a 5/8 inch iron rod set for the beginning of a curve to the right having a radius of 485.75 feet, a chord bearing of North 10°28'27" West and a chord length of 513.96 feet;

Continuing along said curve to the right through a central angle of 63°52'50" for an arc length of 541.58 feet to a 5/8 inch iron rod set for the point of tangency;

North 21°27'58" East a distance of 1,150.47 feet to a 5/8 inch iron rod set for the beginning of a curve to the left having a radius of 550.21, a chord bearing of North 12°04'48" East and chord length of 179.46 feet;

Continuing along said curve to the left through a central angle of 18°46'20" for an arc length of 180.27 feet to a 5/8 inch iron rod set for the end of said curve;

THENCE departing the northeasterly right-of-way line of said Valley Creek Trail, South 87°18'22" East a distance of 61.05 feet to a 5/8 inch iron rod set in the westerly line of said Tract I of the Eldorado Country Club Phase II;

THENCE along the westerly line of said Tract I of the Eldorado Country Club Phase II as follows:

South 32°02'35" East a distance of 28.21 feet to a 5/8 inch iron rod set for corner;

South 47°42'18" East a distance of 115.20 feet to a 5/8 inch iron rod set for corner;

South 17°12'13" East a distance of 557.36 feet to a 5/8 inch iron rod set for corner;

South 05°32'33" East a distance of 157.07 feet to a 5/8 inch iron rod set for corner;

South 20°28'19" East a distance of 379.01 feet to a 5/8 inch iron rod

South 63°08'18" West a distance of 437.42 feet to a 5/8 inch iron rod set for corner;

South 66°31'36" West a distance of 316.09 feet to a 5/8 inch iron rod set for corner;

South 54°09'40" West a distance of 89.22 feet to a 5/8 inch iron rod set for corner;

South 03°21'23" East a distance of 98.69 feet to a 5/8 inch iron rod set for corner;

South 27°23'46" East a distance of 186.16 feet to a 5/8 inch iron rod set for corner;

South 52°16'11" West a distance of 107.24 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 18.962 acres or 826,006 square feet of land more or less.

EXHIBIT B

VILLAGE OF ELDORADO

SUNSET RIDGE III

<u>BLOCK</u>	<u>LOTS</u>	<u>MIN. SQ. FT. LIVING AREA *</u>
A	1-33	1,600
B	1-41	1,600

*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.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF COLLIN
I hereby certify that this instrument was FILED in the File Number Sequence on the date and the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Collin County, Texas on

FEB 04 1992

Helen Stamer

COUNTY CLERK
COLLIN COUNTY TEXAS



1992/02/04 8:26
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COLLIN COUNTY, TX

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