

CORRECTED

SUPPLEMENTARY DECLARATION NO. 21

DEED RECORD

LAS COLINAS AREA XXI A

1800

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Dallas County, Texas

This Supplementary Declaration, made this 18th day of August, 1980 by KINVEST DEVELOPMENT CORPORATION, hereinafter called Owner.

WITNESSETH:

9381

WHEREAS, Las Colinas Corporation as Declarant executed a Declaration (the Declaration) on the 22nd day of August, 1973, applicable to certain real property described in Exhibit "A" thereto and located in or adjacent to the City of Irving, County of Dallas, State of Texas; and

WHEREAS, the Declaration was filed of record in Volume 73166, Page 1001 of the Deed Records of Dallas County, Texas, on August 22, 1973, and corrected by Correction to Declaration dated August 8, 1977, and recorded in Volume 77154, Page 1096 of the Deed Records of Dallas County, Texas, and corrected by Second Correction to Declaration dated June 19, 1979, and recorded in Volume 79122, Page 0749 of the Deed Records of Dallas County, Texas; and

WHEREAS, additional real property has previously been added to the scheme of the Declaration by Supplementary Declarations duly recorded to the Deed Records of Dallas County, Texas; and

WHEREAS, Article V, of the Declaration (entitled Protective Covenants), as originally written and as modified by said previous Supplementary Declarations, is applicable only to the real property described in said Exhibit "A" to the Declaration and in Exhibits to said Supplementary Declarations and not to additional real property which may be added to the scheme of the Declaration by subsequent supplementary declaration; and

WHEREAS, Article I, Section 3 of the Declaration permits the addition of additional property to the scheme thereof by persons other than Declarant who obtains approval from The Las Colinas Association's Board of Directors and file a supplementary declaration of record, which supplementary declaration may modify Article V of the Declaration as it pertains to such additional property; and

WHEREAS, Owner has obtained approval from the Board of Directors of The Las Colinas Association as evidenced by the consent set forth hereinafter; and

WHEREAS, Owner desires to add additional property, located within the boundaries of the property described in Exhibit "B" to the Declaration, to the scheme of the Declaration and to so modify Article V of the Declaration as it pertains to said additional property;

NOW THEREFORE, Owner hereby declares as follows:

80165 0506

This Corrected Supplementary Declaration No. 21 is being recorded to correct Exhibit A-21 attached to Supplementary Declaration No. 21 recorded in Volume 80165, Page 0506, Deed Records, Dallas County, Texas, by deleting Tract 3 (which was included by mistake and was not intended to be covered) therefrom.

RE-FILED 81164 2058

1. That the real property described in Exhibit "A-21" attached hereto and incorporated herein by reference for all purposes (designated as Area XXI for purposes of this Supplementary Declaration) is and shall be subject to the scheme of the Declaration, and is and shall be held, transferred, sold, conveyed, used and occupied subject to covenants, restrictions, easements, charges, and liens set forth in the Declaration (the Declaration being incorporated herein by reference for all purposes) as modified herein.

2. That Article V of the Declaration is hereby modified by the addition thereto of the following Section 21, which shall be applicable only to Area XXI:

Section 21. Covenants Applicable to Area XXI. The following provisions shall be applicable to any and all construction, improvement, alteration, addition, or use of, in, or to Area XXI of The Properties:

a. Use Limitations. Sites in Area XXI may be used for office, warehousing, wholesaling, research and development, assembling, processing, and servicing and distribution purposes. Sites in Area XXI may be used for light manufacturing, multi-family residential, hotel, restaurant, gasoline service station, and other retail sale purposes only with the prior written approval of Declarant. The following uses of sites in Area XXI are not permitted:

- (1) Single family detached residential dwellings.
- (2) Any use which involves a noxious odor, excessive emission of smoke, steam, or vapor, or an excessive noise level.
- (3) Any use contrary to law or which violates any part of Section 21 of this Article V.
- (4) Overnight parking of campers, mobile homes, boats, trailers, or motor homes, except that such parking is permitted in covered or enclosed areas.
- (5) Any use which involves the raising, breeding, or keeping of any animals or poultry other than two household pets per unit.
- (6) Uses not expressly permitted hereinabove.

b. Minimum Setback Lines. No structure of any kind and no part thereof shall be placed within these setback lines:

- (1) 50 feet from State Highway 114 Service Road right-of-way.
- (2) 50 feet from Valley View (State Highway 161 service road) right-of-way.
- (3) 30 feet from any other public street property line.

The following improvements are expressly excluded from this setback restriction:

- (a) Structures below and covered by the ground.
- (b) Steps, walks, driveways, and curbing.

(c) Planters, walls, fences or hedges, not to exceed 4 feet in height.

(d) Landscaping.

(e) Any other improvements approved in writing by Declarant. Roofed structures, other than the following, may in no event be so approved:

- i. guardhouses;
- ii. gate houses;
- iii. relatively minor encroachments of adequately screened parking structures.

c. Parking Areas. Parking areas shall:

- (1) Be curbed, guttered, and paved with 5" reinforced concrete or with 5" asphaltic concrete; both the reinforced concrete and the asphaltic concrete shall be placed on a 6" lime stabilized base.
- (2) Have a maximum grade slope of 7½% and a minimum grade slope of 1½%.
- (3) Not be provided in front of minimum setback lines.
- (4) Not be provided in front of any building line fronting any public thoroughfare unless expressly so approved in writing by the Architectural Control Committee which Committee may not approve such parking in front of minimum setback lines.
- (5) Be adequately screened by use of berm, trees, landscaping, or other means acceptable to the Architectural Control Committee.
- (6) Be sufficient to accommodate all parking needs for employees, company vehicles, residents, and visitors without the use of on-street parking. If parking needs increase, additional off-street parking shall be provided by the owner. In no event shall less than one parking space be provided for each of the following, as applicable:
 - (a) 300 gross square feet of office space;
 - (b) 250 gross square feet of banking or retail store space;
 - (c) Each hotel or motel guest room;
 - (d) Each 2½ restaurant or club seats;
 - (e) Each 3½ theatre, auditorium, or assembly seats;
 - (f) 1,000 gross square feet of warehouse area;
 - (g) 500 gross square feet of manufacturing, assembling, processing, or servicing area.

Declarant may grant exceptions to and/or variations from any part of paragraph "c" of this Section 21 provided that any such variations and/or exceptions must be in writing.

d. Driveways. Driveways shall

- (1) Not intersect roads, streets, or thoroughfares within 30 feet of intersections.
- (2) Be constructed as specified in "c(1)" above except that reinforced concrete shall be used in construction between building lines and streets.

- (3) Have a minimum width of 12 feet.

e. Signs. All signs must be approved by the Architectural Control Committee in writing prior to installation. Normally, such approval will be limited to those signs which:

- (1) Identify the name and business of the occupant, or which give directions, or which offer the premises for sale or for lease.
- (2) Are not of an unusual size or shape when compared to the building or buildings on the premises.
- (3) Do not project above the roof line of a building or in front of the setback line.
- (4) Do not block or detract from adjacent property.
- (5) Preserve the quality and atmosphere of the area.

No signs, symbols, advertising insignia or similar items will be permitted on top of or on the face of buildings at a location higher than the area immediately above those levels where there are outside entrances into such buildings. Signs of a flashing or moving character and inappropriately colored signs will not be permitted. The Association shall have the right to enter on and remove any sign erected without such written approval.

f. Landscaping. Landscaping shall

- (1) Be required on all sites contemporaneously with completion of other improvements, but in no event later than 180 days after first occupancy or completion of buildings, whichever shall first occur.
- (2) Conform to a landscaping plan approved by the Architectural Control Committee pursuant to Article IV of the Declaration. Normally, such approval will be limited to landscaping plans which:
 - (a) Provide automatic underground sprinkling systems for all landscaped areas;
 - (b) Do not obstruct sight lines at street or driveway intersections;
 - (c) Preserve existing trees to the extent practical;
 - (d) Include at least one tree for each 4,500 square feet of area between building lines and street property lines;
 - (e) Permit reasonable access to public and private utility lines and easements for installation and repair.

g. Screening.

- (1) Storage areas, incinerators, storage tanks, trucks based on the premises, roof objects (including fans, vents, cooling towers, skylights, and all roof mounted equipment which rises above the roof line), trash containers, and maintenance facilities shall either be housed in closed buildings or otherwise completely screened from public view in a manner and at a location approved in writing by the Architectural Control Committee. Such screening would normally include landscaping or permanent fences of solid materials and be located as far from property lines as reasonably possible. Such screening may not be required for roof fans, vents,

and skylights which do not extend more than 18 inches above roof lines of warehousing, manufacturing, assembling, processing, or servicing facilities, if, in the sole judgment of the Architectural Control Committee (confirmed in writing), such fans, vents, or skylights are architecturally acceptable and do not detract from the quality of the area or from the external appearance of the structure.

- (2) No antenna or tower shall be erected on any property for any purpose without prior written approval from the Architectural Control Committee.
- (3) Any and all lines and/or wires for communication or for transmission of sound or current, not within a building, shall be constructed or placed and maintained underground. Declarant may, at its sole discretion, install temporary above-ground electric and telephone service lines for the purpose of providing temporary service pending installation of permanent underground service.

h. Loading Docks and Areas.

- (1) Loading docks and areas shall not be located on the street side of any building or structure, except that the Architectural Control Committee may approve such location in writing (subject to express screening requirements).
- (2) Loading areas may not encroach setback areas, except that Declarant may approve such encroachment in connection with the approval of side street loading areas for corner buildings.
- (3) Loading docks and areas shall be screened in a manner approved in writing by Declarant, considering such things as location (street side, rear, etc.) and views from adjacent and nearby properties.

i. Exterior Illumination. Illumination will be required on all exterior walls facing public streets or proposed public streets and for all parking areas and walkways between buildings and parking areas unless otherwise waived or modified by Declarant in writing. All exterior illumination must conform to plans approved in writing by the Architectural Control Committee pursuant to Article IV of the Declaration.

j. Construction Standards.

- (1) All building sides must be faced with face brick or stone, or with such other quality face materials as may be approved in writing by the Architectural Control Committee. Windows shall not be glazed or reglazed with mirrored or reflective glass without prior written approval of the Architectural Control Committee.
- (2) Construction must conform to plans and specifications approved in writing by the Architectural Control Committee pursuant to Article IV of the Declaration. Normally, such approval will be limited to those plans which:
 - (a) Do not include wooden frames.
 - (b) Provide adequate fire protection systems;
 - (c) Provide for all underground utilities (public and private);
 - (d) Preserve the quality and atmosphere of the area and do not detract from adjacent property;
 - (e) Do not include exterior fire escapes;
 - (f) Do not make extensive use of reflective or mirrored glass;

- (3) Each dwelling unit shall contain a trash compactor and a water flushing garbage grinder disposal.
- (4) Each commercial building, complex of buildings, or separate commercial business enterprise shall have a trash compactor on the premises adequate to handle the trash and waste items generated, manufactured, or acquired thereon by such commercial activities. The sorting, removing, and disposing of all such waste materials must be housed or screened in a manner approved in writing by the Architectural Control Committee. All facilities and plans for the disposal of wastes other than by public sewerage methods (such as shredding, compaction, incineration, reclamation, or chemical dissolution) must be approved in writing by the Architectural Control Committee.
- (5) Each kitchen facility within a commercial building or complex of buildings shall contain a water flushing garbage grinder disposal.
- (6) All structures will be equipped with gutters, downspouts, and/or other drainage conveyances.
- (7) It shall be the responsibility of the owner to install, in conjunction with the construction of any dwelling, building, or other permanent facility, and at the owner's sole expense, a conduit separate from other conduits and for the sole purpose of permitting the connection of Las Colinas Association Communications System to an individual dwelling, building or other permanent facility. The termination points of the conduit, the conduit size and type, the type of pullwire or rope to be installed with the conduit and the physical routing and the depth of the conduit shall be in accordance with plans and specifications approved in writing by the Architectural Control Committee of the Las Colinas Association.
- (8) No excavation shall be made except in conjunction with construction of an improvement. When such improvement is completed, all exposed openings shall be back filled and graded.
- (9) Once commenced, construction shall be diligently pursued to the end that it may not be left in a partly finished condition any longer than reasonably necessary.

3. The Declaration, except as expressly modified herein, remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first written above.

ATTEST:

KINWEST DEVELOPMENT CORPORATION

B. Carl Kline
Assistant Secretary

Ernest O. Perry, Jr.
Vice President

CONSENT

*Corrected

The undersigned, being all of the Directors of The Las Colinas Association, hereby consent to the execution of this Supplementary Declaration No. 21 by Owner and approve the addition of the real property described in Exhibit "A-21" to the scheme of the Declaration as provided in Article I, Section 3 thereof.

Ben H. Carpenter
Ben H. Carpenter

Richard W. Douglas
Richard W. Douglas

Dan C. Williams
Dan C. Williams

Ernest O. Perry, Jr.
Ernest O. Perry, Jr.

John W. Carpenter, II
John W. Carpenter, II

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(ACKNOWLEDGEMENT)

THE STATE OF TEXAS I
COUNTY OF DALLAS I

BEFORE ME, the undersigned authority, in and for said county and state, on this day personally appeared Ernest O. Perry, Jr., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that this was the act of the said Kinwest Development Corporation, a Texas corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18th day of August, 1980.

Michelle Mackie
Notary Public

My Commission Expires:

6-2-84

(CORPORATE ACKNOWLEDGEMENT)

THE STATE OF TEXAS I
COUNTY OF DALLAS I

BEFORE ME, the undersigned authority, in and for said county and state, on this day personally appeared Ben M. Carpenter, Dan C. Williams, John W. Carpenter, III, Richard W. Douglas, Ernest O. Perry, Jr., of The Las Colinas Association, a corporation, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 18th day of August, 1980.

Michelle Mackie
Notary Public

My Commission Expires:

6-2-84

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EXHIBIT "A-21"

LAS COLINAS AREA XXI

SECTOR XV

TRACT 1

Being a tract of land lying and being situated in the B.B.B. & C.R.R. CO. SURVEY, ABSTRACT NO. 196 in Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point in the North line of Cabell Road (100' R.O.W.), said point being in the Southwest line of State Highway No. 114, an iron stake for corner;

THENCE N 77°39'15" W, along the North line of Cabell Road, 1519.87 feet to the beginning of a curve to the right, an iron stake for corner;

THENCE Westerly, along the North line of Cabell Road and along the curve to the right, said curve having a central angle of 10°40'38" and a radius of 1859.86 feet, for an arc distance of 346.59 feet to an iron stake for corner;

THENCE N 0°19'25" E, 714.10 feet to a point in the Southwest line of State Highway No. 114, an iron stake for corner;

THENCE Southeasterly along the Southwest line of State Highway No. 114 as follows:

S 63°58'24" E, 436.43 feet to an iron stake for corner;
S 58°17'09" E, 388.18 feet to an iron stake for corner;
S 57°00'54" E, 403.15 feet to an iron stake for corner;
S 59°47'42" W, 200.25 feet to an iron stake for corner;
S 56°56' E, 700.00 feet to an iron stake for corner;
S 12°20'45" W, 47.38 feet to the point of beginning and containing 17.662 acres of land more or less.

TRACT 2

Being a tract of land lying and being situated in the B.B.B. & C.R.R. CO. SURVEY, ABSTRACT NO. 196, in the E.N. HERNDON SURVEY, ABSTRACT NO. 666 and in the D.W. BARNETT SURVEY, ABSTRACT NO. 216 in Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point in the Northwest line of Valley View Road (120' R.O.W.), said point being on the most Southerly corner of a 50' cut-back at the Southwest corner of the intersection of State Highway No. 114 and Valley View Road, an iron stake for corner;

THENCE S 53°05'11" W, along the Northwest line of Valley View Road, 2642.04 feet to an iron stake for corner;

THENCE N 89°43'32" W, 1291.47 feet to an iron stake for corner;

THENCE N 0°48'34" E, 2773.18 feet to an iron stake for corner;

THENCE S 89°39' E, 431.91 feet to an iron stake for corner;

THENCE N 0°19'25" E, 146.04 feet to a point on the curving South line of Cabell Road, an iron stake for corner;

THENCE Easterly along the curving South line of Cabell Road and along a curve to the left, said curve having a tangent which bears S 68°11'40" E, a central angle of 9°27'35" and a radius of 1959.86 feet, for an arc distance of 323.58 feet to the point of tangency of said curve, an iron stake for corner;

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THENCE S 77°39'15" E, along the South line of Cabell Road, 1664.83 feet to the beginning of a curve to the right, an iron stake for corner;

THENCE Southeasterly along the Southwesterly line of Cabell Road and State Highway No. 114 and along the curve to the right, said curve having a central angle of 20°43'15" and a radius of 1106.28 feet, for an arc distance of 400.08 feet to the point of tangency of said curve, an iron stake for corner;

THENCE S 56°56' E, along the Southwest line of State Highway No. 114, 137.88 feet to the beginning of a curve to the right, an iron stake for corner;

THENCE Southeasterly along the Southwesterly line of State Highway No. 114 and along the curve to the right, said curve having a central angle of 20°01'11" and a radius of 1109.28 feet, for an arc distance of 387.59 feet to the point of tangency of said curve, an iron stake for corner;

THENCE S 36°54'49" E, along the Southwest line of State Highway No. 114, 403.51 feet to an iron stake for corner;

THENCE S 8°05'11" W, 70.70 feet to the point of beginning and containing 159.40 acres of land more or less.

TRACT 3

(DELETED)

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**FIRST AMENDMENT TO CORRECTED
SUPPLEMENTARY DECLARATION NO. 21**

The Las Colinas Association, a Texas non-profit corporation, in executing this First Amendment to Corrected Supplementary Declaration No. 21 certifies and confirms that:

1. A meeting of the membership of the Association was held on April 21, 2014, pursuant to notice duly given in accordance with the Bylaws of the Association and the provisions of Section 2 of Article VIII of the Declaration for the purpose of approving the First Amendment to Corrected Supplementary Declaration No. 21 attached herewith.
2. A quorum of the membership of the Association was present at the meeting, either in person or by proxy.
3. To amend any existing Supplementary Declaration, Chapter 215.008(d) of the Texas Property Code states that notwithstanding any provision of the certificate of formation, declaration, or bylaws to the contrary, the declaration and any supplementary declaration, including amendments, modifications, or corrections, may be amended by a simple majority of the eligible votes being cast in favor of the amendment.
4. At the meeting, members holding 63.81% of the total eligible votes of the Association, with both classes of the membership voting together, voted in favor of the First Amendment to Corrected Supplementary Declaration No. 21 and, accordingly, such amendment was approved for filing.
5. The members of the Association voting by proxy in favor of the First Amendment to Corrected Supplementary Declaration No. 21 have duly appointed William F. Tichy or Carl W. McKee any of them acting alone or together as attorney-in-fact to sign this amendment to Corrected Supplementary Declaration No. 21 on behalf of said members. Proxies and Special Powers of Attorney for said members are on file as permanent records of The Las Colinas Association.

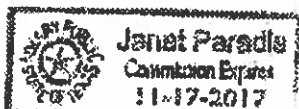
THE LAS COLINAS ASSOCIATION

By: Ethan R. Bidne
Ethan R. Bidne
President

THE STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on April 21, 2014, by Ethan R. Bidne, President of The Las Colinas Association, a Texas non-profit corporation, on behalf of said corporation.



Janet Paradise
Notary Public in and for the State of Texas

**FIRST AMENDMENT TO
CORRECTED SUPPLEMENTARY DECLARATION NO. 21
LAS COLINAS AREA XXI
DALLAS COUNTY, TEXAS**

This First Amendment to Corrected Supplementary Declaration No. 21, Las Colinas Area XXI, is made as of the 21st day of April, 2014 by The Las Colinas Association, a Texas non-profit corporation, hereinafter called the "Association."

RECITALS:

A. The Las Colinas Corporation ("LCC"), a Texas corporation, executed a Declaration [for] Las Colinas Area I (as corrected and supplemented, the "Declaration") on the 22nd of August, 1973, applicable to certain real property described in Exhibit "A" thereto and located in or adjacent to the City of Irving, County of Dallas, State of Texas; and

B. The Declaration was filed of record in Volume 73166, Page 1001 et seq. of the Deed Records of Dallas County, Texas; a Correction to Declaration was filed of record in Volume 77154, Page 1096 et seq. of the Deed Records of Dallas County, Texas; a Second Correction to Declaration was filed of record in Volume 79122, Page 0749 et seq. of the Deed Records of Dallas County, Texas; and a Third Correction to Declaration was recorded in Volume 82071, Page 3244 et seq. of the Deed Records of Dallas County, Texas (such Declaration as so corrected being referred to as the "Declaration"). Section 3 of Article I of the Declaration specifies the manner in which additional property may be added to the scheme of the Declaration.

C. Las Colinas Area XXI ("Area XXI") was added to Las Colinas pursuant to Supplementary Declaration No. 21, Las Colinas Area XXI, recorded in Volume 80166, Page 0506 et seq., Real Property Records of Dallas County, Texas, and refiled in Volume 81164, Page 2058 et seq., Real Property Records of Dallas County, Texas, which Area XXI is

described with particularity in Exhibit "A-21" attached to Supplementary Declaration No. 21 (the "Original Supplement").

D. The Original Supplement is applicable to a 177.062 acre tract of real property more particularly described in Exhibit "A-21" (the "Original Tract").

E. Parkside Land East LP (the "Property Owner"), as owner of a 0.7976 acre tract described in Exhibit "B-21" attached hereto (the "Parkside Tract") has requested to amend Article V, Section 21 of the Declaration, with respect to the Parkside Tract only, to allow single family development with the restrictions contained in Exhibit "C-21" and to eliminate or modify some of the provisions of Section 21 (as they apply to the Parkside Tract only).

F. Section 215.008(d) of the Texas Property Code provides that the Declaration and any supplementary declarations may be amended by a simple majority of the eligible votes of the membership being cast in favor of the amendment.

G. More than fifty percent (50%) of the eligible votes of the membership were cast to approve the following amendment of Article V, Section 21 of the Declaration, after due and proper notice, at a Special Meeting of the Association held on April 21, 2014.

NOW THEREFORE, the Declaration, as supplemented by the Original Supplement and as amended by this First Amendment to Corrected Supplementary Declaration No. 21, Las Colinas Area XXI is hereby amended as follows:

1. That the Parkside Tract which is part of the Original Tract is and shall continue to be subject to the scheme of the Declaration, and is and shall continue to be held, transferred, sold, conveyed, used and occupied subject to the covenants, restrictions, easements, charges, assessments and liens set forth in the Declaration (as modified by this First Amendment to Corrected Supplementary Declaration No. 21, Las Colinas Area XXI).

2. That Article V, Section 21, Subsection (a) entitled "Use Limitations" is hereby amended, as to the Parkside Tract only, to supplant the following language:

"Sites in Area XXI may be used for office, warehousing, wholesaling, research and development, assembling, processing, and servicing and distribution purposes. Sites in Area XXI may be used for light manufacturing, multi-family residential, hotel, restaurant, gasoline service station, and other retail sale purposes only with the prior written approval of Declarant. The following uses of sites in Area XXI are not permitted:

- (1) Single family detached residential dwellings.
- (2) Any use which involves a noxious odor, excessive emission of smoke, steam, or vapor, or an excessive noise level.
- (3) Any use contrary to law or which violates any part of Section 21 of this Article V.
- (4) Overnight parking of campers, mobile homes, boats, trailers, or motor homes, except that such parking is permitted in covered or enclosed areas.
- (5) Any use which involves the raising, breeding, or keeping of any animals or poultry other than two household pets per unit.
- (6) Uses not expressly permitted hereinabove."

with the following:

Sites in Area XXI may be used for office, warehousing, wholesaling, research and development, assembling, processing, and servicing and distribution purposes. Sites in Area XXI may be used for light manufacturing, multi-family residential, hotel, restaurant, gasoline service station, and other retail sale purposes only with the prior written approval of Declarant. Single family residential dwellings are allowed in that portion of Area XXI identified by Exhibit "B-21" (the "Parkside Tract") and further restricted by Exhibit "C-21". The restrictions found in Exhibit "C-21" shall control with regard to all property located within the area identified by Exhibit "C-21". Parks and open space are allowed in that portion of Area XXI identified by Exhibit "C-21". The following uses of sites in Area XXI are not permitted:

- (1) Single family detached residential dwellings, except for
that portion of Area 21 identified by Exhibit "B-21" (the Parkside

Tract) which may have single family detached residential dwellings.

(2) Any use which involves a noxious odor, excessive emission of smoke, steam, or vapor, or an excessive noise level.

(3) Any use contrary to law or which violates any part of Section 21 of this Article V.

(4) Overnight parking of campers, mobile homes, boats, trailers, or motor homes, except that such parking is permitted in covered or enclosed areas.

(5) Any use which involves the raising, breeding, or keeping of any animals or poultry other than two household pets per unit.

(6) Uses not expressly permitted hereinabove."

3. Exhibit "B-21" attached to this First Amendment is hereby attached to Corrected Supplementary Declaration No. 21 as Exhibit "B-21". Exhibit "C-21" attached to this First Amendment is hereby attached to Corrected Supplementary Declaration No. 21 as Exhibit "C-21".

4. The recitals set forth above are hereby adopted by reference and declared to be true and correct.

5. Corrected Supplementary Declaration No. 21, except as expressly amended, as to the Parkside Tract, by this First Amendment to Corrected Supplementary Declaration No. 21, hereby remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first above written

THE LAS COLINAS ASSOCIATION,
a Texas non-profit corporation

By: Ethan R. Bidne
Ethan R. Bidne, President

THE STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on the 21st day of
April, 2014, by Ethan R. Bidne, President of The Las Colinas Association, a
Texas non-profit corporation, on behalf of such corporation.

Janet Parsolis
Notary Public in and for Dallas County, Texas



My Commission Expires:

11-17-2017

EXHIBIT "B-21"

LEGAL DESCRIPTION

BEING A 0.7975 ACRE TRACT OF LAND SITUATED IN THE B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 198, CITY OF IRVING, DALLAS COUNTY, TEXAS, AND BEING ALL OF LOT 1, BLOCK B, LAS COLINAS BUSINESS PARK, 26TH INSTALLMENT, PHASE III REVISED, AS SHOWN BY PLAT RECORDED IN VOLUME 98253, PAGE 237, PLAT RECORDS, DALLAS COUNTY, TEXAS, SAID 0.7975 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (CORS98, EPOCH DATE 2002), DETERMINED BY GPS OBSERVATIONS BETWEEN JULIAN DAY 253, 2004 AND JULIAN DAY 259, 2004, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LAS COLINAS BUSINESS PARK, PHASE III, BEING ON THE SOUTHWEST RIGHT OF WAY OF STATE HIGHWAY NO. 114 (VARIABLE WIDTH RIGHT OF WAY), AND BEING THE NORTHEAST CORNER OF A 39.87 ACRE TRACT OF LAND CONVEYED TO PARKSIDE LAND EAST, LP, RECORDED UNDER FILE NUMBER 201300114160, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS.

THENCE SOUTH 00 DEGREES 36 MINUTES 41 SECONDS EAST, ALONG THE WEST LINE OF SAID LAS COLINAS BUSINESS PARK AND THE EAST LINE OF SAID 39.87 ACRE TRACT, A DISTANCE OF 13.33 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR CORNER AND THE POINT OF BEGINNING;

THENCE, SOUTH 64 DEGREES 49 MINUTES 45 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1, BLOCK B, A DISTANCE OF 68.89 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR CORNER AT THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF SHORTHORN DRIVE AND STATE HIGHWAY 114;

THENCE, SOUTH 21 DEGREES 17 MINUTES 37 SECONDS EAST, A DISTANCE OF 29.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR CORNER; SAID CORNER BEING ON THE WEST RIGHT OF WAY LINE OF SHORTHORN DRIVE (82 FOOT RIGHT OF WAY) ACCORDING TO THE PLAT RECORDED IN VOLUME 98253, PAGE 237, PLAT RECORDS, DALLAS COUNTY, TEXAS, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 37 DEGREES 07 MINUTES 33 SECONDS, A RADIUS OF 841.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 02 DEGREES 47 MINUTES 07 SECONDS WEST A DISTANCE OF 408.12 FEET;

THENCE; ALONG THE SAID WEST LINE OF SHORTHORN DRIVE, THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE LEFT AND SAID RIGHT OF WAY, AN ARC DISTANCE OF 415.35 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR CORNER, AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 28 DEGREES 00 MINUTES 35 SECONDS, A RADIUS OF 579.00 FEET, AND A LONG CHORD THAT BEARS

SOUTH 02 DEGREES 48 MINUTES 22 SECONDS EAST A DISTANCE OF 260.59 FEET;

ALONG SAID REVERSE CURVE TO THE RIGHT AND SAID RIGHT OF WAY, AN ARC DISTANCE OF 262.84 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR CORNER AT THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF SHORTHORN DRIVE AND CAMPUS CIRCLE;

THENCE, SOUTH 80 DEGREES 48 MINUTES 58 SECONDS WEST, A DISTANCE OF 25.93 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR CORNER; SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF ZE CAMPUS CIRCLE (80 FOOT RIGHT OF WAY), ACCORDING TO THE PLAT RECORDED IN VOLUME 98253, PAGE 237, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 DEGREES 06 MINUTES 51 SECONDS, A RADIUS OF 1879.86 FEET, AND A LONG CHORD THAT BEARS NORTH 88 DEGREES 42 MINUTES 35 SECONDS WEST A DISTANCE OF 36.55 FEET;

THENCE, ALONG SAID NON-TANGENT CURVE TO THE RIGHT AND SAID NORTH RIGHT OF WAY, AN ARC DISTANCE OF 36.56 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR CORNER;

THENCE; NORTH 00 DEGREES 38 MINUTES 41 SECONDS WEST, PASSING AT A DISTANCE OF 23.69 FEET, A 1/2 INCH CAPPED IRON ROD STAMPED "GRAHAM AND ASSOCIATES" FOUND FOR THE SOUTHEAST CORNER OF SAID 39.87 ACRE TRACT, AND CONTINUING ALONG THE EAST LINE OF SAID TRACT A TOTAL DISTANCE OF 723.16 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.7975 ACRES OF LAND, MORE OR LESS.

EXHIBIT "C-21"

RESTRICTIONS ON SINGLE FAMILY RESIDENTIAL DWELLINGS

a. Use Limitations. Sites in Area 21 as located within land as described in Exhibit "B-21" may be used for single family residential dwellings (as defined by The Las Colinas Association), and for parks and open spaces created as part of the development process.

- (1) The floor area of the main structure, exclusive of one story open porches and garages, shall be no less than 1550 square feet for one-story dwellings and 2000 square feet for 1½ and two-story dwellings.
- (2) No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance, dangerous or a nuisance to the neighborhood.
- (3) No structure of a temporary character, recreational vehicle, mobile home, trailer, boat trailer, tent, shed, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.
- (4) No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, or a sign of not more than five square feet advertising the property for sale, or signs of a size and design approved by the Architectural Control Committee used by a builder to advertise the property during the construction and sale period.
- (5) No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot; except dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purposes. The limitation of two household pets per unit does not apply to single family uses.
- (6) No lot 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.
- (7) No clothesline may be maintained on any lot.
- (8) Except as otherwise permitted by Federal statutes and/or rules and regulations of the Federal Communications Commission, the use of antennas, including, without limitation, dish type antennas, and towers must be approved by the Architectural Control Committee, which may consider things like size, location, and ability to screen the antenna(s) and tower(s) from view from adjacent properties and from streets and highways.

- (9) Parking on the streets, in the driveways, or on any lot overnight (except where housed completely within an enclosed and roofed structure approved by the Architectural Control Committee) is prohibited for the following:

Commercial vehicles (The term "Commercial Vehicle" shall include all passenger vehicles, trucks, and vehicular equipment which shall bear signs or shall have printed on the sides of same references to any commercial undertaking or enterprise.)

Trucks over ¾ ton gross weight

Trailers

Mobile homes

Motorboats

Boats

Recreational Vehicles

- (10) No above ground level swimming pool may be installed on any lot, and any swimming pool shall be designed and engineered in compliance with Paragraph e.(1) below.
- (11) No manufacturing, trade, business, commerce, industry, profession, or other occupation whatsoever, will be conducted or carried on upon any lot or any part thereof, or in any building or other structure erected thereon except for activities consistent with temporary marketing offices, construction trailers, and field offices on specifically approved lot(s). This Section 21.a.(11) does not, however, prohibit a resident from using a dwelling for personal business or professional pursuits provided that: (i) the uses are incidental to the use of the dwelling as a residence; (ii) the uses conform to applicable governmental ordinances; and (iii) there is no external evidence of the uses.

b. Minimum Setback Lines.

- (1) No structure of any kind and no part thereof may be placed within these setback lines:
- (A) Minimum depth of front yard shall be 10 feet.
 - (B) Minimum side yard setback shall be 0 feet on one side and 10 feet on the opposite side: 15 feet on a side street, 10 feet on an alley side, and 5 feet adjacent to an open space.
 - (C) Minimum rear yard depth shall be 10' for a one story house and 20' for a two story house.

(D) The minimum face of the garage door setback from the alley shall be 20 feet.

(2) The following improvements are expressly excluded from these setback restrictions:

(A) Structures below and covered by the ground.

(B) Steps, walks, patios, swimming pools, driveways, and curbing.

(C) Planters, walls, fences or hedges not to exceed 4 feet in height within the front "Minimum Setback Lines" (b.)(1)(A-B) or 9 feet in height within rear and side street "Minimum Setback Lines", except as approved by the Architectural Control Committee.

(D) Landscaping.

(E) Box or bay windows.

(F) Fireplaces and chimneys, to the extent any portion of same project from the side of a residential structure.

(G) Porches, balconies, stoops and awnings may encroach a maximum of 5 feet into the required front yard setbacks.

(H) Any other improvements approved in writing by Declarant.

Standard Lots (non-zero-lot line): Roofed structures, including, but not limited to, cabanas, arbors, gazebos, etc., may in no event be approved within the front building setback, within the side yard setback(s), or within a rear yard setback equivalent distance, to the minimum side yard setback, from the rear property line.

Zero Lot-line Lots: Roofed structures, including, but not limited to, cabanas, arbors, gazebos, etc., may in no event be approved within the front building setback, within the rear building setback a distance of three (3) feet from the zero property line, and a distance equal to the non-zero side yard setback from the rear property line.

(3) Declarant may grant exceptions to or variances from any setback lines established in b.(1) above, provided that any variances or exceptions must be in writing.

c. Garages and Parking.

(1) The interior walls of all garages must be finished (tape, bed, and paint as a minimum) like other rooms in the building.

- (2) No garage shall be permitted to be enclosed for living or used for purposes other than storage of passenger vehicles and related normal uses except for the temporary use of a home as a builder's model, unless a new garage is constructed on the same property.

d. Landscaping, Walls, and Fences:

- (1) The horizontal visibility triangle area (as determined by the City of Irving Transportation Department) at the intersection of a street, alley or driveway shall remain clear of any man-made or natural items between an elevation of 2.5 feet and 7.5 feet above the pavement as measured at the gutter line. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at a sufficient height to prevent obstruction of such sight lines.
- (2) The minimum landscape plan shall include one (1) tree in the front yard, with two (2) additional trees required in the side yard of a corner lot adjacent to a street, and foundation planting. A minimum of one (1) tree shall be planted in the rear yard. The Architectural Control Committee may grant exceptions to the tree requirement in the rear yard if the rear yard landscape plan does not accommodate said tree location(s). Trees shall be a minimum 4" caliper as measured vertically 12" from the ground line. Foundation planting is required as stipulated by the Architectural Control Committee based on the design of the house, including but not limited to, a balanced combination of shrubs, vines, groundcovers and/or seasonal colors. All street parkways (area between the back of street curb and the sidewalk) must be turfed with natural sod and must be irrigated by an underground programmable irrigation system. All natural sod and planting bed areas must be irrigated by an underground programmable irrigation system. All applicants must submit landscape plans to the Architectural Control Committee for approval. The plans shall include, in general and as applicable, hardscape structures and walks, where appropriate; a planting plan, including materials, species and size; landscape lighting, retaining walls and fencing; and an automatic, underground irrigation system. Landscaping shall be completed on all sites contemporaneously with completion of other improvements, but in no event later than 90 days after first occupancy of building(s).
- (3) No structure, wall, fence, or hedge over 4 feet in height shall be constructed, erected, placed, planted, set out, maintained, or permitted upon any lot outside the front building line on any lot, except as approved by the Architectural Control Committee of the Las Colinas Association.
- (4) Corner Lot Fence Requirements – (i) A 5'-6" Maximum height wrought iron fence per the City of Irving's minimum standards and as approved by the Architectural Control Committee of the Las Colinas Association shall be permitted within the street side yard setback of all corner lots. A minimum 10' setback from the front yard building line shall be required. (ii) On all reverse frontage lots, the street side yard setback requirement shall be waived in favor of a side yard visibility easement setback, as

determined by the City of Irving Transportation Department, and any fence built within the street side yard setback shall conform to the requirements of (f), above. Where a visibility easement setback is not indicated on the approved plat for a specific corner lot, the lot Owner may construct the wrought iron fence on the street side yard property line per the requirements of Item (f), above. On all reverse frontage lots, the 15' street side yard setback requirement shall conform to the platted street side yard building line where the Owner desires to construct a wooden fence meeting the standards of the City of Irving Fence Ordinance and as approved by the Architectural Control Committee of the Las Colinas Association in lieu of the wrought iron fence.

- (5) The owners of the lots shall be responsible for the maintenance of parkways located between their lot lines and the back of curb of streets and alleys on which said lots abut. The owners thereof shall likewise maintain the exterior of all structures on their lot and their yards, hedges, plants, and shrubs in a neat and trim condition at all times.

e. Construction Standards. The main structure on all lots shall meet with the following requirements (except as modified by the Architectural Control Committee):

- (1) The foundation system shall be designed by a Registered Professional Engineer based on recommendations given in a geotechnical soils report prepared by a geotechnical engineering firm. The soils investigation and analysis, and the design of the foundation system, shall be prepared and stamped or sealed by a registered professional engineer. Any swimming pool shall be designed utilizing the data provided by the soils report and analysis with adequate surface and subsurface drainage provided.
- (2) All roof material must meet standards established by the Architectural Control Committee and may be random tab architectural composition shingle roof (color must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Architectural Control Committee, and must exhibit a raised profile look, i.e. varied levels of visual depth and texture that give a dimensional appearance and as approved by the Architectural Control Committee), tile, slate, standing seam metal, or other equal or greater product as approved by the Architectural Control Committee. All roof materials shall be compatible with the architectural style of the home.
- (3) The exposed exterior wall area, exclusive of doors, windows, and covered porch areas, shall not be less than 75% brick, brick veneer, stone, stone veneer, lath and plaster stucco, or stucco veneer construction, or other low maintenance material (excluding all forms of siding or fiberboard) approved by the Architectural Control Committee.
- (4) Wooden framing shall be allowed on all single family dwellings.
- (5) Complete guttering must be installed on all houses with downspouts carried to an outfall well away from the foundation. All gutters and

downspouts shall be molded from aluminum and have a pre-painted finish. All downspouts except those emptying into streets or driveways shall be tied into underground drains if positive drainage does not exist. Gutters shall not drain across property lines.

- (6) Garages and all other outbuildings are to be given the same architectural treatment and be constructed of the same materials as the main structure. All garage doors shall be equipped with automatic remote controlled door openers. All garages viewed from a street or common area must have a cedar clad facing, wood grain simulated metal facing equivalent in quality to the cedar clad facing, or equal, as approved by the Architectural Control Committee of the Las Colinas Association.
- (7) All driveways shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped, scored or stained concrete, or concrete with stone or brick border.
- (8) All exposed portions of the fire breast, flue and chimney shall be clad in brick, stone, or stucco and shall match the brick, stone or stucco used to meet the seventy-five percent (75%) exterior surface requirement. Chimneys located on an exterior wall must be 100% brick or stone.
- (9) All window framing will be bronzed, cream, sand, clay or white anodized aluminum, vinyl, or wood. Window shutters may be used. Painted or stained wood or fiberglass will be acceptable. No reflective window coverings or treatments shall be permitted.
- (10) No exterior alterations of any existing building may be permitted without the prior written approval of the Architectural Control Committee. No additional windows, balconies, platforms, etc. which may invade the privacy of adjacent dwellings are permitted.
- (11) Any and all lines or wires for communication or for transmission of current outside of the building shall be constructed, placed and maintained underground.
- (12) No exterior light shall be installed or maintained on any lot which is found to be objectionable by the Architectural Control Committee. Upon being given notice by the Association that any exterior light is objectionable, the owner of the lot will immediately remove said light or have the light shielded in such a way that it is no longer objectionable. Lighting plans shall be designed to delicately accent architectural elements, and shall include a minimum of one light, near the front door or porch area. All exterior illumination must be approved by the Architectural Control Committee of the Las Colinas Association.
- (13) Mailboxes shall be Brandon Industries Dual Mailboxes, M1 Series, color Black, mounted on a smooth 4" black pole, or equal, as approved by the Architectural Control Committee.

- (14) No excavation may be made except in conjunction with construction or maintenance of an improvement. When the improvement or maintenance is completed, all exposed openings must be back filled, compacted, graded and landscaped in accordance with the approved landscape plan.
- (15) Once commenced, construction must be diligently pursued so it is not left in a partly finished condition for a period longer than ninety (90) days without written approval from the Architectural Control Committee.
- (16) Temporary portable buildings may be used for construction purposes or as field offices or temporary marketing offices within Area XXI in support of the sale of lots within Area XXI only with the prior written approval of the Declarant. Such temporary portable buildings shall meet the following requirements:
- (A) Be landscaped to the same standards as other residential lots.
 - (B) Allow no overnight parking of construction vehicles.
 - (C) Provide screening for all construction materials to be kept on site.
 - (D) Be kept in a clean, well-kept condition at all times.

Such temporary portable buildings shall be removed two (2) months after the date on which construction starts on the last of the lots. All landscaping, irrigation systems, hardscaping, signs and debris are to be removed and the area is to be graded, cleaned and turf established to the satisfaction of the Architectural Control Committee.

- (17) During construction on any lot, all trash and construction debris shall be contained within an on-site enclosure to be approved by the Association. The trash container shall be maintained on the lot throughout the period of construction (subject to the need to promptly remove and replace same as it becomes full), and all waste materials and construction debris shall be placed therein on a daily basis in order to reduce the possible dispersal of such waste materials and construction debris to any other lot and to maintain a neat and orderly appearance on the lot on which construction is being performed. Such temporary trash container shall be removed within 10 calendar days following completion of construction on the lot.
- (18) No wooden fence, wall or hedge shall exceed eight (8) feet in height or be less than six (6) feet in height unless otherwise specifically required by the City of Irving or expressly approved by the Architectural Control Committee of the Las Collinas Association. All wooden fences shall be constructed of cedar and be stained a uniform color (medium brown stain such as "Ready Seal" brand colored "Medium Brown" and available at Lee Roy Jordan Lumber, or equal), shall be supported with galvanized steel posts at six (6) feet on center, and all cedar privacy fences shall be board on board and include a top rail. All Lots backing or siding to a creek, lake, greenbelt/common areas shall have a wrought iron fence, not

less than four (4) feet in height and with a uniform design as approved by the Architectural Control Committee of the Las Collinas Association. Fence gates facing a street or open space shall be metal or wrought iron as approved by the Architectural Control Committee of the Las Collinas Association.

- (19) Roof vents and stacks should be located on the non-street slopes of a roof whenever possible. All exposed roof accessories (including, but not limited, to vents, flashing, attic ventilator, and metal chimney caps) must match or be compatible with the color of the roofing material.
- (20) Only concrete masonry type retaining walls are permitted. Examples (but not limited to) of permitted walls are stone, brick, interlocking wall systems, poured-in-place concrete utilizing a form liner or faced with an appropriate material, or CMU block faced with an appropriate material.
- (21) In order to maintain architectural variety along residential streets, homes shall adhere to a 360 degree rule, meaning an individual standing in the street turning in a complete circle shall not be able to view the same front elevation. Elevations shall be substantially different when viewed under the 360 degree rule as determined by the Architectural Control Committee.

Declarant may grant variances to and/or exceptions from any part of paragraph (e) of this Restriction on Single Family Residential Dwellings, provided that any such variances and/or exceptions must be in writing.

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
05/05/2014 04:41:46 PM
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**SECOND AMENDMENT
TO THE
CORRECTED
SUPPLEMENTARY DECLARATION NO. 21
LAS COLINAS AREA XXI
DALLAS COUNTY, TEXAS**

**STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS;
COUNTY OF DALLAS §**

This Second Amendment to the Corrected Supplementary Declaration No. 21, Las Colinas Area XXI, is made this 2nd day of November, 2017, by The Las Colinas Association, a Texas non-profit corporation, hereinafter called the "Association."

R E C I T A L S:

A. The Las Colinas Corporation ("LCC"), a Texas corporation, executed a Declaration [for] Las Colinas Area I (as corrected and supplemented, the "Declaration"), on the 22nd of August, 1973, applicable to certain real property described in Exhibit "A" thereto and located in or adjacent to the City of Irving, County of Dallas, State of Texas; and

B. The Declaration was filed of record in Volume 73166, page 1001 *et seq.* of the Deed Records of Dallas County, Texas; a Correction to Declaration was filed of record in Volume 77154, page 1096 *et seq.* of the Deed Records of Dallas County, Texas; a Second Correction to Declaration was filed of record in Volume 79122, Page 0749 *et seq.* of the Deed Records of Dallas County, Texas; a Third Correction to Declaration was recorded in Volume 82071, Page 3244 *et seq.* of the Deed Records of Dallas County, Texas; and a First Amendment to the Corrected Las Colinas Declaration was recorded as Document No. 201400111545 of the Deed Records of Dallas County, Texas (such Declaration as so corrected and amended being referred to as the "Declaration").

C. LAS COLINAS AREA XXI ("Arca XXI"), those certain 177.062 acre tracts, were added to Las Colinas pursuant to Supplementary Declaration No. 21, Las Colinas Area XXI, recorded in Volume 80165, Page 0506 *et seq.*, of the Deed Records of Dallas County, Texas, which was subsequently replaced by the Corrected Supplementary Declaration No. 21, Las Colinas Area XXI, recorded Volume 81164, Page 2058 *et seq.*, of the Deed Records of Dallas County, Texas, which was subsequently amended by the First Amendment to Corrected Supplementary Declaration No. 21, recorded as Document No. 201400110223 of the Deed Records of Dallas County, Texas, as described more particularly in Exhibit "A-21" of Supplementary Declaration No. 21 (the "Original Supplement").

D. James Mark Anderson is the owner of property within Area XXI and has requested an amendment to Supplementary Declaration No. 21 to permit the development of medical office, medical clinic, and surgery as a component of another permitted use as provided herein.

E. Section 215.008(d) of the Texas Property Code provides that the declaration and any supplementary declaration, including amendments, modifications, or corrections, may be amended by a simple majority of the eligible votes being cast in favor of the amendment.

F. More than a majority of the eligible votes of the membership were cast to approve the following amendment of Article V, Section 21 of the Declaration, after due and proper notice, at a Special Meeting of the Association held on November 2, 2017.

NOW THEREFORE, the Declaration, as supplemented by the Original Supplement and as amended by this First Amendment to the Corrected Supplementary Declaration No. 21, Las Colinas Area XXI is hereby amended as follows:

1. That Article V, Section 21, Subsection (a) of the Declaration is hereby replaced with the following:

- a. Use Limitations. Sites in Area XXI may be used for office, warehousing, wholesaling, research and development, assembling, processing, and service and distribution purposes. In addition to the foregoing uses, sites in Area XXI may be used for medical office, medical clinic, and day surgery. Sites in Area XXI may be used for light manufacturing, multi-family residential, hotel, restaurant, gasoline service station, and other retail sale purposes only with the prior written approval of Declarant. Single family residential dwellings are allowed in that portion of Area XXI identified by Exhibit "B-21" (the Parkside Tract) and further restricted by Exhibit "C-21". The restrictions found in Exhibit "C-21" shall control with regard to all property located within the area identified by Exhibit "C-21". Parks and open space are allowed in that portion of Area XXI identified by Exhibit "C-21". The following uses of sites in Area XXI are not permitted:

- (1) Single family detached residential dwellings, except for that portion of Area 21 identified by Exhibit "B-21" (the Parkside Tract) which may have single family detached residential dwellings.
- (2) Any use which involves a noxious odor, excessive emission of smoke, steam, or vapor, or an excessive noise level.
- (3) Any use contrary to law or which violates any part of Section 21 of this Article V.

(4) Overnight parking of campers, mobile homes, boats, trailers, or motor homes, except that such parking is permitted in covered or enclosed areas.

(5) Any use which involves the raising, breeding, or keeping of any animals or poultry other than two household pets per unit.

(6) Uses not expressly permitted hereinabove.

2. That Article V, Section 21, Subsection (c) of the Declaration is hereby replaced with the following:

c. Parking Areas. Parking areas shall:

(1) (Surface Parking) Be curbed and guttered with concrete and paved with 5" reinforced concrete placed on a 6" lime stabilized base or an equivalent pavement section engineered by a registered professional engineer as approved by the Architectural Control Committee.

(2) (Surface Parking) Have a maximum grade slope of 7% and a minimum grade slope of 1%.

(3) Be sufficient to accommodate all parking needs for employees, company vehicles, and visitors. If parking needs increase, additional parking on-site shall be provided by the Owner. Parking shall meet or exceed the parking requirements of the City of Irving, Development Codes, Zoning and Subdivision Ordinances as amended from time to time or as otherwise approved by the City of Irving and as approved by the

Architectural Control Committee. Declarant may grant exceptions to or variances from any part of this subsection c, provided that any variances or exceptions must be in writing.

3. The recitals set forth above are hereby adopted by reference and declared to be true and correct.

4. The Corrected Supplementary Declaration No. 21, Las Colinas Area XXI, except as expressly amended by this Second Amendment to the Corrected Supplementary Declaration No. 21, Las Colinas Area XXI hereby remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first above written

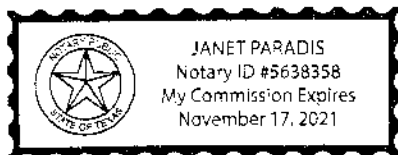
THE LAS COLINAS ASSOCIATION,
a Texas non-profit corporation

By: Ethan R. Bidne
Ethan R. Bidne, President

THE STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 2nd day of November, 2017, by Ethan R. Bidne, President of The Las Colinas Association, a Texas non-profit corporation, on behalf of such corporation.



Janet Paradis
Notary Public in and for the State of Texas

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
11/07/2017 11:27:38 AM
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