



SUPPLEMENTARY DECLARATION NO. 165

LAS COLINAS AREA CLXV

DALLAS COUNTY, TEXAS

This Supplementary Declaration is made, effective as of this 29th day of August, 2008, by HINES LAS COLINAS LAND LIMITED PARTNERSHIP, hereinafter called "Declarant",

BACKGROUND:

- A. Declarant's predecessor in interest, Las Colinas Corporation ("LCC"), executed a Declaration (as previously 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.
- B. The Declaration was filed of record in Volume 73166, Page 1001, of the Deed Records of Dallas County, Texas, a Correction to Declaration was filed of record in Volume 77154, Page 1096, of the Deed Records of Dallas County, Texas, a Second Correction to Declaration was filed of record in Volume 79122, Page 0749, of the Deed Records of Dallas County, Texas, and a Third Correction to Declaration was filed of record in Volume 82071, Page 3244, of the Deed Records of Dallas County, Texas.
- C. LCC assigned all of its rights as "Declarant" under the Declaration to Las Colinas Land Limited Partnership ("LCLLP") pursuant to a Corrected Assignment and Transfer of Rights of Declarant under Declaration dated as of June 29, 1989, recorded in Volume 92041, Page 0446, of the Deed Records of Dallas County, Texas.
- D. LCLLP assigned all of its rights as "Declarant" under the Declaration to Declarant pursuant to an Assignment and Transfer of Rights of Declarant and Class B Member under Declaration dated as of December 23, 2005, recorded in Volume 200503641275, Deed Records, Dallas County, Texas.
- E. Additional real property has been added to the scheme of the Declaration as contemplated in Article I, Section 3, thereof by recording Supplementary Declarations in the Deed Records of Dallas County, Texas.
- F. Article V of the Declaration (entitled Protective Covenants), as originally written and as modified by the previous Supplementary Declarations is applicable only to the real property described in Exhibit "A" to the Declaration and in Exhibits to the previous Supplementary Declarations and not to additional real property which may be added to the scheme of the Declaration by subsequent Supplementary Declarations.

- G. Article I, Section 3, of the Declaration permits the addition of additional property to the scheme thereof by filing a Supplementary Declaration of record, which Supplementary Declaration may modify Article V of the Declaration as it pertains to the additional property.
- H. Declarant 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 modify Article V of the Declaration as it pertains to the additional property;

NOW THEREFORE, Declarant declares as follows:

- 1. The real property described in Exhibit A-165 attached hereto and incorporated herein by reference for all purposes (designated as **Area CLXV** 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. Article V of the Declaration is modified by the addition thereto of the following Section 165, which is applicable only to Area CLXV.

Section 165. Covenants Applicable to Area CLXV. The following provisions are applicable to any and all construction, improvement, alteration, addition, and use of, in, or to Area CLXV of the Properties:

- a. Use Limitations. Sites in Area CLXV 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) No lot shall be used except for residential purposes or parks and open spaces created as part of the development process or for those lots specifically designated by Declarant for temporary marketing offices, construction trailers and field offices. No building shall be erected, altered, placed, or permitted to remain on any lot other than (i) one detached single family dwelling with a private garage for not more than four vehicles, or (ii) park and open space related facilities created as part of the development process.
 - (2) The floor area of the main structure, exclusive of one story open porches and garages, shall be no less than 3000 square feet for one-story dwellings and 3500 square feet for 1½ and two-story dwellings.
 - (3) 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.
 - (4) 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.

- (5) 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.
- (6) 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.
- (7) 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.
- (8) No truck, trailer, mobile home, or vehicle other than passenger vehicles or temporary marketing offices, construction trailers and field offices on specifically approved lot(s), shall be permitted to park on the streets, in the driveways, or on any lot overnight.
- (9) No motorboat, boat, trailer, recreational vehicle, mobile home, or other similar vehicle may be maintained, stored, or kept on a lot unless housed completely within an enclosed and roofed structure approved by the Architectural Control Committee except for temporary marketing offices, construction trailers, and field offices on specifically approved lot(s).
- (10) No clothesline may be maintained on any lot.
- (11) 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.
- (12) 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 165.a.(12) 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.

- (13) The use of any carport, driveway, street, or parking area that may be in front of, adjacent to, or part of any lot as a habitual parking place for trucks, trailers, mobile homes, recreational vehicles, boats, or commercial vehicles, except for vehicles used in conjunction with temporary marketing offices, construction trailers, and field offices on specifically approved lot(s) or model homes, is prohibited. 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 reference to any commercial undertaking or enterprise.
- (14) 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) of this Section 165.

b. Minimum Setback Lines.

- (1) No structure of any kind and no part thereof may be placed within these setback lines:
 - (A) 25 feet from any street right of way for the main residential structure.
 - (B) 15 feet from any street right of way other than those referenced in (A) above.
 - (C) 20 feet from any rear property line.
 - (D) 8 feet from any interior side lot lines.
- (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. Roofed structures, other than the following, may in no event be approved:

[1] guard houses

[2] gate houses

[3] swimming pool equipment houses and cabanas

[4] greenhouses

(3) Declarant may grant exceptions to or variances from any setback lines established in 2b(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 a minimum of 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, a minimum of one (1) tree in the rear yard and foundation planting. The Owner is encouraged to include at a minimum one (1) rear tree where practical as approved by the Architectural Control Committee of the Las Colinas Association. The

Architectural Control Committee shall respect the **Criteria for Construction Within the Limits of Dallas County Utility and Reclamation District Levees** and the **Criteria for Placement of Landscape Plantings Within the Limits of Dallas County Utility and Reclamation District Levees**, as described further in Paragraph 2.d.(5) below, on those lots affected by the Levee Protection Easement as indicated on the Final Plat for the subdivision. Trees shall be a minimum 5" caliper, as measured vertically 12" from the ground line. All planting beds shall include a portion that extends an average of 5 feet from the building foundation, and shall be comprised of a balanced combination of shrubs, vines, groundcovers and/or seasonal colors. The front, side and rear yards must be irrigated by a programmable irrigation system and sodded with grass. All applicants must submit landscape plans to the Architectural Control Committee for approval. The plans shall include, in general, 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 or any side street building line, except as approved by the Architectural Control Committee.
- (4) 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.
- (5) For lots identified on the Final Plat for The Lakes of Las Colinas (all phases) as having property located within the Levee Protection Easement (all lots contiguous to Riverside Drive or Hackberry Creek as indicated on the Final Plat for The Lakes of Las Colinas), all Owners must comply with the **Criteria for Construction Within the Limits of Dallas County Utility and Reclamation District Levees** and the **Criteria for Placement of Landscape Plantings Within the Limits of Dallas County Utility and Reclamation District Levees**, as established and amended from time to time by Dallas County Utility and Reclamation District. The purpose of the Criteria is to establish guidance to lot owners for the construction of new facilities or the modification of existing facilities within the limits of the Dallas County Utility and Reclamation District flood protection levees. The Levee Protected Easement area may only be modified upon approval by Dallas County Utility and Reclamation District and the City of Irving. With said approval, final approval of improvements is subject to the

approval of the Architectural Control Committee of the Las Colinas Association.

- 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 roofs may be a 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 have a minimum 50 year warranty or the highest warranty readily available), 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 80% brick, brick veneer, stone, stone veneer, lathe and plaster stucco, or stucco veneer construction, or other low maintenance material approved by the Architectural Control Committee. Only clay brick will be permitted. Stucco shall be traditional 3-coat process cement plaster stucco. EIFS is not allowed.
 - (4) The entire structure shall be guttered with downspouts. All gutters and downspouts on the front of the house shall be molded from copper or paint grip metal and have a smooth round appearance. All gutters and downspouts on the sides or rear of the house shall be molded from copper or paint grip metal and may have a square or smooth round appearance. All gutters shall be six (6) inches in size. All downspouts except those emptying directly into streets or driveways shall be tied into underground drains if positive drainage does not exist. Gutters shall not drain across property lines.
 - (5) 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 garage doors viewed from a public street or common area must have a cedar clad, or equal, facing as approved by the Architectural Control Committee of the Las Colinas Association.

- (6) All driveways shall be constructed of the following materials: brick pavers, stone, interlocking pavers, stamped and stained concrete, scored and stained concrete, or concrete with stone or brick border, as approved by the Architectural Control Committee of the Las Colinas Association.
- (7) 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 eighty percent (80%) exterior surface requirement. Chimneys located on an exterior wall must be 100% brick or stone.
- (8) All window framing shall be vinyl or wood. Painted wood or fiberglass window shutters may be used. No reflective window coverings or treatments shall be permitted. All windows facing a street front shall be divided light windows.
- (9) 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.
- (10) Any and all lines or wires for communication or for transmission of current outside of the building shall be constructed, placed and maintained underground.
- (11) Lighting plans shall be designed to delicately accent architectural elements, and shall include a minimum of one light near the front door or porch, controlled by a photocell. 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.
- (12) 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.
- (13) 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.
- (14) 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.
- (15) Temporary portable buildings may be used for construction purposes or as field offices or temporary marketing offices within Area CLXV in support

of the sale of lots within Area CLXV 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.

- (16) 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.
- (17) 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 Colinas Association. The average height of the fence should be 6 feet 6 inches (6'-6") or less. All wooden fences shall be constructed of cedar and be stained a uniform color (Sherwin Williams Semi-Transparent "Harbor Mist", #SW3541, 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 Colinas 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 Colinas Association.
- (18) 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 model

or front elevation. In addition, homes with the same floor plan but a different elevation shall maintain a minimum of two (2) units between one another, whether on the same side of the street or on opposite sides of the street.

- (19) No second floor, rear facing balconies will be allowed on any interior lots. The only lots that will accommodate a second floor balcony are those lots that back to a creek, greenbelt, street or that are situated on the perimeter of the development. All rear facing balconies must be approved prior to construction by the Architectural Control Committee of the Las Colinas Association.

Declarant may grant variances to and/or exceptions from any part of paragraph e. of this Section 165, provided that any such variances and/or exceptions must be in writing.

3. No approval of plans and specifications and no publication of requirements or guidelines herein or in the Declaration or otherwise by the Association or the Architectural Control Committee or granting of any exceptions or variances by Declarant may be construed as representing or implying that improvements built in accordance therewith will be free of defects or comply with applicable laws or ordinances. Any approvals and observations incident thereto concern matters of an aesthetic nature. No approvals and guidelines may be construed as representing or guaranteeing that any improvements built in accordance therewith will be designed or built in a good and workmanlike manner. The granting of any exceptions or variances by Declarant shall be in Declarant's sole discretion. Declarant, the Association, their respective directors, officers, employees, and agents, the Architectural Control Committee, and members of the Architectural Control Committee are not responsible or liable in damages or otherwise to anyone submitting plans and specifications for approval or to any owner of land subject to the Declaration for any defects in any plans or specifications submitted, revised, or approved, any loss or damages to any person arising out of approval or disapproval or failure to approve or disapprove any plans or specifications, any loss or damage arising from the noncompliance of the plans or specifications with any governmental ordinance or regulation, or any defects in construction undertaken pursuant to the plans and specifications. Approval of plans and specifications by the Architectural Control Committee may not be construed as approval by the City of Irving, Texas, as the approval processes are mutually exclusive. Unconditional approval of a complete set of plans and specifications by the Architectural Control Committee satisfies the requirements of all applicable subsections of this Supplementary Declaration that require written approval by the Architectural Control Committee for the plans and specifications. Any determination made by Declarant under this Supplementary Declaration, and the grant or denial of any exception or variance by Declarant under this Supplementary Declaration, is in Declarant's sole discretion.
4. The Declaration, except as expressly modified herein, remains in force and effect and is ratified and confirmed.

EXECUTED as of the day and year first written above.

HINES LAS COLINAS LAND LIMITED PARTNERSHIP, a
Texas limited partnership

By: Hines Las Colinas Land GP LLC,
its General Partner

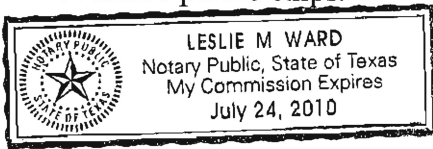
By: Hines Interests Limited Partnership,
its sole member

By: Hines Holdings, Inc.,
its General Partner

By: [Signature] ACQ
Name: Clayton C. Elliott
Title: SVP

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on August 29, 2008, by Clayton C. Elliott, the Senior Vice President of Hines Holdings, Inc., the General Partner of Hines Interests Limited Partnership, the sole member of Hines Las Colinas Land GP LLC, the General Partner of Hines Las Colinas Land Limited Partnership, a Texas limited partnership, on behalf of said corporation, limited liability company and limited partnerships.



[Signature: Leslie M. Ward]
Notary Public in and for
The State of Texas

[SEAL]

My Commission Expires:
07/24/2010

EXHIBIT A — 165
LAS COLINAS AREA CLXV
LEGAL DESCRIPTION

**EXHIBIT A - 165
LAS COLINAS AREA CLXV
LAND DESCRIPTION**

BEING a tract of land situated in the McKinney and Williams Survey, Abstract No. 1056, the W.D. Downing Survey, Abstract No. 391, the J. Spoon Survey, Abstract No. 1632, and the A. Fyke Survey, Abstract No. 481, City of Irving, Dallas County, Texas, and being a portion of a 84.59 acre tract described as "Site 15-16" in instrument to Hines Las Colinas Land Limited Partnership, a Texas limited partnership as recorded under Clerk's Instrument No. 200503641265 of the Official Public Records of Dallas County, Texas, and being a portion of a 23.81 acre tract described as Tract 3 in "Exhibit A" (Lake Carolyn) in instrument to Dallas County Municipal Utility District No. 1, now known as Dallas County Utility & Reclamation District, recorded in Volume 75092, Page 0138 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING, at a 1/2 inch iron rod found at the northeast corner of Lot 1, Block 1, Las Colinas Urban Center, Sector 1N First Installment, an addition to the City of Irving according to the plat thereof recorded in Volume 92176, Page 0048, Map Records, Dallas County, Texas, same point being in the westerly right-of-way line of O'Connor Boulevard (a variable width right-of-way as evidenced by instrument recorded in Volume 85128, Page 1668 and Volume 85144, Page 2777, Deed Records, Dallas County, Texas) now known as Riverside Drive, and being the beginning of a curve to the left having a central angle of 22 degrees 15 minutes 12 seconds, a radius of 899.93 feet, from which a 347.34 foot chord bears North 05 degrees 42 minutes 15 seconds East;

THENCE, northerly along said curve to the left, and along the westerly right-of-way line of said O'Connor Boulevard, an arc length of 349.53 feet to a 1/2 inch iron rod found with cap stamped "RPLS 3047";

THENCE, North 05 degrees 25 minutes 21 seconds West, continuing along the westerly right-of-way line of said O'Connor Boulevard (Riverside Drive) at a distance of 330.81 feet a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars" and continuing in all a distance of 1,040.00 feet to the POINT OF BEGINNING of this tract, said point being on the proposed centerline of Lake Crest Drive;

THENCE, westerly along the proposed centerline of said Lake Crest Drive the following courses:

South 84 degrees 34 minutes 22 seconds West, departing the westerly right-of-way line of said O'Connor Boulevard (Riverside Drive), a distance of 179.45 feet to the beginning of a curve to the right having a central angle of 12 degrees 15 minutes 32 seconds, a radius of 600.00 feet and being subtended by a 128.13 foot chord bearing North 89 degrees 17 minutes 52 seconds West;

Continuing along said curve to the right an arc distance of 128.37 feet to a point of reverse curvature of a curve to the left having a central angle of 4 degrees 43 minutes 04 seconds, a radius of 2,000.00 feet and being subtended by a 164.63 foot chord bearing North 85 degrees 31 minutes 38 seconds West;

Continuing along said curve to the left an arc distance of 164.68 feet to the end of said curve;

North 87 degrees 53 minutes 10 seconds West, a distance of 191.67 feet to the beginning of a curve to the left having a central angle of 9 degrees 52 minutes 48 seconds, a radius of 500.00 feet and being subtended by a 86.11 foot chord bearing South 87 degrees 10 minutes 26 seconds West;

Continuing along said curve to the left an arc distance of 86.22 feet to the end of said curve;

South 82 degrees 14 minutes 02 seconds West, a distance of 192.24 feet to the beginning of a curve to the left having a central angle of 13 degrees 09 minutes 39 seconds, a radius of 500.00 feet and being subtended by a 114.60 foot chord bearing South 75 degrees 39 minutes 12 seconds West;

Continuing along said curve to the left an arc distance of 114.85 feet to the end of said curve;

South 69 degrees 04 minutes 22 seconds West, a distance of 198.50 feet to a point for a corner;

THENCE, South 2 degrees 47 minutes 18 seconds West, departing the proposed centerline of said Lake Crest Drive, a distance of 189.61 feet to a point for a corner on the dry side of a concrete retaining wall for Lake Carolyn, being on a common boundary line of said Hines Las Colinas Land Limited Partnership tract and the Dallas County Utility & Reclamation District tract (Lake Carolyn) as recorded in Volume 75092, Page 138 of the Deed Records of Dallas County, Texas, said common boundary line as per Boundary Line Agreement as recorded in Volume 86157, Page 172, of the Deed Records of Dallas County, Texas;

THENCE, along the dry side of said concrete retaining wall, and along the aforesaid common boundary line the following courses:

South 81 degrees 07 minutes 47 seconds West, a distance of 70.36 feet to a point for a corner;

North 89 degrees 54 minutes 54 seconds West, a distance of 23.78 feet to a point for a corner;

North 80 degrees 42 minutes 47 seconds West, a distance of 18.26 feet to a point for a corner;

North 70 degrees 36 minutes 48 seconds West, a distance of 20.52 feet to a point for a corner;

North 60 degrees 39 minutes 52 seconds West, a distance of 20.91 feet to a point for a corner;

North 50 degrees 59 minutes 17 seconds West, a distance of 18.91 feet to a point for a corner;

North 42 degrees 35 minutes 28 seconds West, a distance of 19.96 feet to a point for a corner;

North 32 degrees 08 minutes 44 seconds West, a distance of 20.38 feet to a point for a corner;

North 23 degrees 09 minutes 25 seconds West, a distance of 17.63 feet to a point for a corner;

North 17 degrees 46 minutes 14 seconds West, a distance of 193.52 feet to a point for a corner;

North 20 degrees 27 minutes 08 seconds West, a distance of 30.23 feet to a point for a corner;

North 22 degrees 59 minutes 23 seconds West, a distance of 30.23 feet to a point for a corner;

North 25 degrees 45 minutes 18 seconds West, a distance of 32.27 feet to a point for a corner;

North 29 degrees 10 minutes 57 seconds West, a distance of 31.95 feet to a point for a corner;

North 29 degrees 47 minutes 08 seconds West, a distance of 23.66 feet to a point for a corner;

North 32 degrees 47 minutes 38 seconds West, a distance of 30.49 feet to a point for a corner;

North 35 degrees 21 minutes 34 seconds West, a distance of 30.17 feet to a point for a corner;

North 38 degrees 02 minutes 15 seconds West, a distance of 30.44 feet to a point for a corner;
North 41 degrees 20 minutes 58 seconds West, a distance of 29.25 feet to a point for a corner;
North 43 degrees 25 minutes 00 seconds West, a distance of 30.12 feet to a point for a corner;
North 45 degrees 08 minutes 23 seconds West, a distance of 30.36 feet to a point for a corner;
North 47 degrees 59 minutes 07 seconds West, a distance of 30.15 feet to a point for a corner;
North 50 degrees 38 minutes 47 seconds West, a distance of 30.37 feet to a point for a corner;
North 53 degrees 52 minutes 45 seconds West, a distance of 60.72 feet to a point for a corner;
North 55 degrees 34 minutes 23 seconds West, a distance of 50.08 feet to a point for a corner;
North 58 degrees 22 minutes 23 seconds West, a distance of 30.12 feet to a point for a corner;
North 63 degrees 00 minutes 27 seconds West, a distance of 29.83 feet to a point for a corner;
North 66 degrees 42 minutes 40 seconds West, a distance of 30.20 feet to a point for a corner;
North 70 degrees 16 minutes 13 seconds West, a distance of 29.62 feet to a point for a corner;
North 73 degrees 48 minutes 04 seconds West, a distance of 30.12 feet to a point for a corner;
North 77 degrees 31 minutes 40 seconds West, a distance of 30.25 feet to a point for a corner;

THENCE, North 18 degrees 33 minutes 53 seconds West, departing said common boundary line a distance of 130.38 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars" on the proposed northerly line of proposed The Lakes of Las Colinas Phase 1, said point being the beginning of a non-tangent curve to the left having a central angle of 8 degrees 32 minutes 59 seconds, a radius of 274.00 feet, being subtended by a 40.85 foot chord which bears North 50 degrees 34 minutes 28 seconds East;

THENCE, along the northerly lines of proposed The Lakes of Las Colinas Phase 1 the following courses:

Continuing along said curve to the left an arc distance of 40.89 feet to a point of reverse curvature of a curve to the right having a central angle of 11 degrees 32 minutes 00 seconds, a radius of 526.00 feet and being subtended by a 105.70 foot chord bearing North 52 degrees 03 minutes 59 seconds East;

Continuing along said curve to the right an arc distance of 105.88 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars" at end of said curve;

North 13 degrees 57 minutes 15 seconds East for a distance of 21.33 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 30 degrees 43 minutes 47 seconds West for a distance of 29.50 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 59 degrees 16 minutes 13 seconds East for a distance of 52.00 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

South 30 degrees 43 minutes 47 seconds East for a distance of 29.50 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

South 75 degrees 43 minutes 47 seconds East for a distance of 21.21 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 59 degrees 16 minutes 13 seconds East for a distance of 26.75 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

South 30 degrees 43 minutes 47 seconds East for a distance of 52.00 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

South 59 degrees 16 minutes 13 seconds West for a distance of 26.74 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

South 12 degrees 56 minutes 23 seconds West for a distance of 20.71 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the left having a central angle of 21 degrees 41 minutes 53 seconds, a radius of 200.00 feet, being subtended by a 75.29 foot chord which bears South 46 degrees 23 minutes 20 seconds East;

Continuing along said curve to the left an arc length of 75.74 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

South 57 degrees 14 minutes 17 seconds East for a distance of 67.81 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 48 degrees 55 minutes 04 seconds East for a distance of 82.80 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 59 degrees 20 minutes 05 seconds East for a distance of 88.99 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 69 degrees 04 minutes 22 seconds East for a distance of 447.24 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 79 degrees 35 minutes 31 seconds East for a distance of 81.53 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

South 88 degrees 59 minutes 06 seconds East for a distance of 186.76 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 82 degrees 14 minutes 02 seconds East for a distance of 232.67 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the left having a central angle of 00 degrees 50 minutes 16 seconds, a radius of 2,226.00 feet, being subtended by a 32.54 foot chord which bears South 28 degrees 32 minutes 40 seconds East;

Continuing along said curve to the left an arc length of 32.54 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars", also being the beginning of a reverse curve to the right having a

central angle of 30 degrees 02 minutes 48 seconds, a radius of 124.00 feet, being subtended by a 64.28 foot chord which bears South 13 degrees 56 minutes 24 seconds East;

Continuing along said curve to the right an arc length of 65.03 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

South 88 degrees 55 minutes 00 seconds East a distance of 52.00 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars";

North 61 degrees 25 minutes 32 seconds East for a distance of 233.12 feet to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars" to a 5/8 inch iron rod set with yellow cap stamped "Huitt-Zollars", being a point on the westerly right-of-way line of said O'Connor Boulevard (Riverside Drive), also being the beginning of a non-tangent curve to the left having a central angle of 2 degrees 38 minutes 53 seconds, a radius of 1,200.92 feet, being subtended by a 55.50 foot chord which bears South 37 degrees 12 minutes 28 seconds East;

THENCE, along the westerly right-of-way line of said O'Connor Boulevard (Riverside Drive), the following courses:

Continuing along aforesaid curve to the left an arc length of 55.51 feet to a 1/2 inch iron rod found with cap stamped "RPLS 3047";

South 38 degrees 31 minutes 59 seconds East for a distance of 138.33 feet to a 1/2 inch iron rod found with cap stamped "RPLS 3047" at the beginning of a non-tangent curve to the right having a central angle of 33 degrees 06 minutes 38 seconds, a radius of 1090.92 feet, being subtended by a 621.69 foot chord which bears South 21 degrees 59 minutes 01 seconds East;

Continuing along said curve to the right an arc length of 630.43 feet to a 1/2 inch iron rod found with cap stamped "RPLS 3047";

South 05 degrees 25 minutes 21 seconds East, a distance of 78.44 feet to the POINT OF BEGINNING and CONTAINING 29.58 acres of land, more or less.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

[Signature]
John F. Warren, County Clerk
Dallas County TEXAS

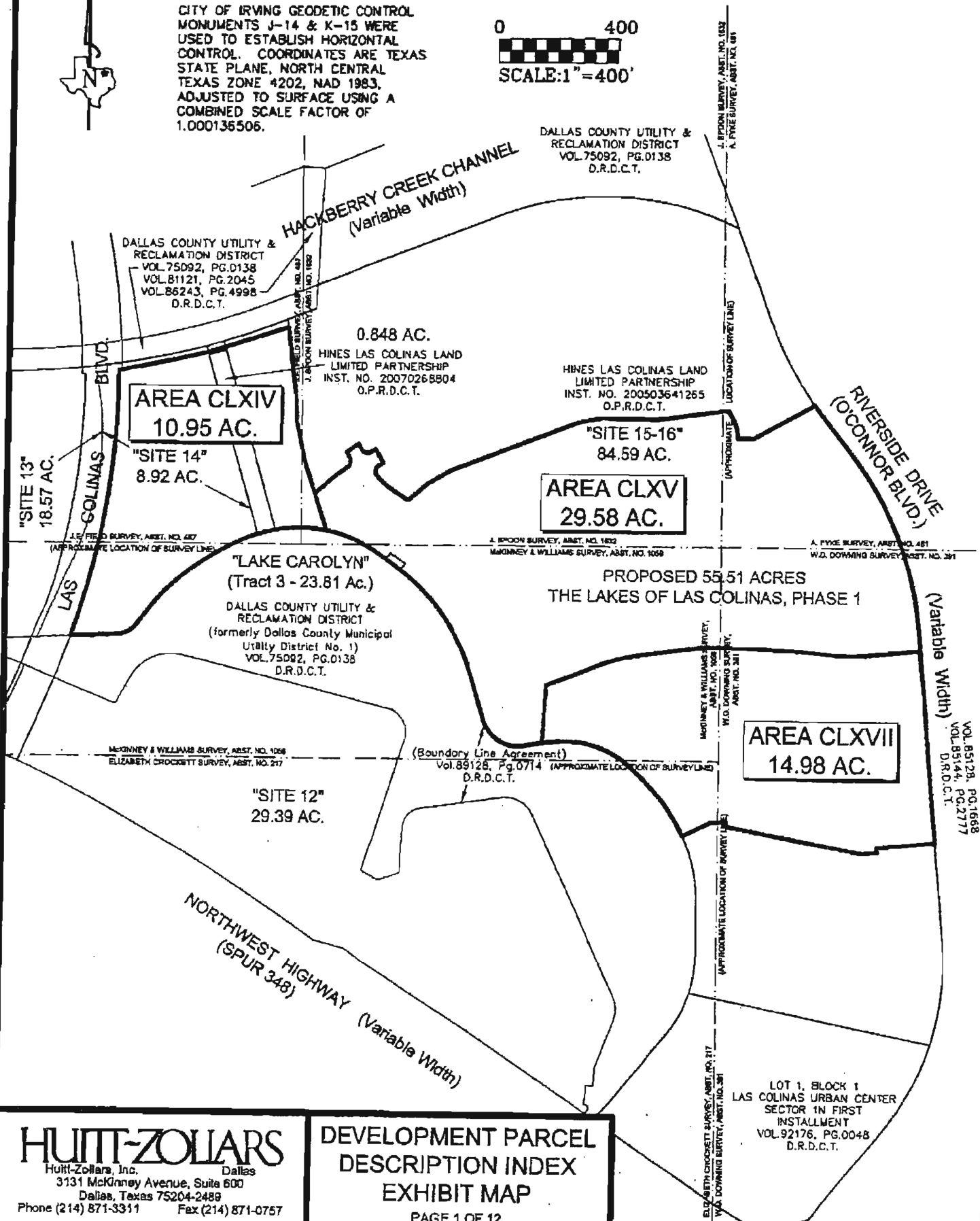
September 24, 2008 03:46:22 PM

FEE: \$80.00

20080309937

BASIS OF BEARINGS/DIRECTIONAL CONTROL:

CITY OF IRVING GEODETIC CONTROL MONUMENTS J-14 & K-15 WERE USED TO ESTABLISH HORIZONTAL CONTROL. COORDINATES ARE TEXAS STATE PLANE, NORTH CENTRAL TEXAS ZONE 4202, NAD 1983, ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000135505.



HUNT-ZOLLARS

Hunt-Zollars, Inc. Dallas
 3131 McKinney Avenue, Suite 600
 Dallas, Texas 75204-2489
 Phone (214) 871-3311 Fax (214) 871-0757

**DEVELOPMENT PARCEL
 DESCRIPTION INDEX
 EXHIBIT MAP**

**FIRST AMENDMENT
TO
SUPPLEMENTARY DECLARATION NO. 165
LAS COLINAS AREA CLXV
DALLAS COUNTY, TEXAS**

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

This First Amendment to Supplementary Declaration No. 165, Las Colinas Area CLXV, is made this 24th day of March, 2026, 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").

C. LAS COLINAS AREA CLXV ("Area CLXV"), those certain 29.58 acre tracts, were added to Las Colinas pursuant to Supplementary Declaration No. 165, Las Colinas Area CLXV, recorded in Volume 20080309937, 17 Pages *et seq.*, of the Deed Records of Dallas County,

Texas, and are described more particularly in Exhibit "A" of Supplementary Declaration No. 165 (the "Original Supplement").

D. 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.

E. More than fifty percent (50%) of the eligible votes of the membership were cast to approve the following amendment of Article V, Section 165 of the Declaration, after due and proper notice, at the Annual Meeting of the Association held on March 24, 2026.

NOW THEREFORE, the Declaration, as supplemented by the Original Supplement and as amended by this First Amendment to Supplementary Declaration No. 165, Las Colinas Area CLXV is hereby amended as follows:

1. That Article V, Section 165, Subsection (d) of the Declaration is hereby amended to supplant the current language, which states:

- d. LANDSCAPING, WALLS, and FENCES: ...The front, side and rear yards must be irrigated by a programmable irrigation system and sodded with grass...
with the following: ...The front, side and rear yards must be irrigated by a programmable irrigation system and the areas in front of, and outside of fences and gates sodded with grass...

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

3. The Supplementary Declaration No. 165, Las Colinas Area CLXV, except as expressly amended by this First Amendment to the Supplementary Declaration No. 165, Las Colinas Area CLXV hereby remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first above written.

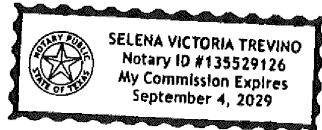
THE LAS COLINAS ASSOCIATION,
a Texas non-profit corporation

By: *J. Hammond Perot*
J. Hammond Perot, President & CEO

THE STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 4th day of May, 2026, by J. Hammond Perot, President & CEO of The Las Colinas Association, a Texas non-profit corporation, on behalf of such corporation.



Selena Victoria Trevino
Notary Public in and for the State of Texas

My Commission Expires:

9-4-29

EXHIBIT "A"

Being a tract of land situated in the City of Irving, Dallas County, Texas and being all of Lots 1-27, Block E, Lots 1-14, Block F, Lots 1-8, Block L and Lots 1-11 Block N, of the Lakes of Las Colinas, Phase 1, Tract B Addition, an Addition to the City of Irving according to the Plat thereof recorded in County Clerk's Instrument No. 200503641265 of the Official Public Records of Dallas County, Texas and being a portion of a 23.81 acre tract to Dallas County Municipal Utility District No. 1 (now known as Dallas County Utility & Reclamation District) as recorded in Volume 75092, Page 0138 of the Deed Records of Dallas County, Texas.

**Dallas County
John F. Warren
Dallas County Clerk**

Instrument Number: 202600095348

eRecording - Real Property

Recorded On: May 05, 2026 09:31 AM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$37.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

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.

File Information:

Document Number: 202600095348
Receipt Number: 20260504000578
Recorded Date/Time: May 05, 2026 09:31 AM
User: Natasha R
Station: Cc134

Record and Return To:

Simplifile



**STATE OF TEXAS
COUNTY OF DALLAS**

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Dallas County, Texas.

John F. Warren
Dallas County Clerk
Dallas County, TX