



**AFTER RECORDING RETURN TO:**

**ROBERT D. BURTON, ESQ.  
ARMBRUST & BROWN, L.L.P.  
100 CONGRESS AVE., SUITE 1300  
AUSTIN, TEXAS 78701**

**SECOND AMENDMENT TO MASTER DECLARATION  
OF RESIDENTIAL COVENANTS,  
CONDITIONS AND RESTRICTIONS  
CEDAR PARK TOWN CENTER**

Cross Reference to Master Declaration of Residential Covenants, Conditions and Restrictions for Cedar Park Town Center, recorded under Document No. 2004063062, Official Public Records of Williamson County, Texas, as amended by that certain First Amendment to Master Declaration of Residential Covenants, Conditions and Restrictions for Cedar Park Town Center, recorded under Document No. 2004091014, Official Public Records of Williamson County, Texas.

**SECOND AMENDMENT TO MASTER DECLARATION  
OF RESIDENTIAL COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
CEDAR PARK TOWN CENTER**

THE STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

§

This Second Amendment to Master Declaration of Residential Covenants, Conditions and Restrictions for Cedar Park Town Center (the "Amendment") is made by **CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership ("Declarant"), and is as follows:

**RECITALS:**

A. Declarant previously executed and recorded that certain Master Declaration of Residential Covenants, Conditions and Restrictions For Cedar Park Town Center, recorded as Document No. 2004063062, in the Official Public Records of Williamson County, Texas, as amended by that certain First Amendment to Master Declaration of Residential Covenants, Conditions and Restrictions for Cedar Park Town Center, recorded under Document No. 2004091014, Official Public Records of Williamson County, Texas. (as amended, the "Declaration").

B. Pursuant to Section 9.02 of the Declaration, the Declaration may amended by recording in the Official Public Records of Williamson County, Texas an instrument setting forth the amendment executed and acknowledged by the Declarant acting alone.

**NOW THEREFORE**, Declarant hereby amends and modifies the Declaration as follows:

1. **Addition of "Condominium Unit" Definition.** Number 7A is hereby added to Addendum I to the Declaration and provides as follows:

7A. Condominium Unit. "Condominium Unit" means an individual unit within a condominium regime established within the Property.

2. **Insertion of References to "Condominium Unit".** All references to "Lot" throughout the Declaration shall hereafter be deemed to refer to "Lot or Condominium Unit", save and except references to "Lot" in Section 2.03(a) and Section 3.06 of the Declaration:

3. **Amendment of Section 1.07.** The following sentence is hereby added as the last sentence of the first paragraph of Section 1.07 of the Declaration:

Provided, however, that notwithstanding any provision to the contrary in this Declaration, in the event of a conflict between the terms of this Declaration or the Architectural Standards and the terms of any declaration of condominium regime recorded as a Subordinate Declaration in the Official Public Records of Williamson County, Texas, the terms of such declaration of condominium regime shall prevail.

4. **Amendment of Section 2.03.**

(a) The reference to Section 2.03(a) in Section 2.03(b) of the Declaration shall hereafter be deemed to refer to both Section 2.03(a) and Section 2.03(c) of the Declaration.

- (b) The first sentence of Section 2.03 is hereby deleted in its entirety and the following is substituted in its place:

The right to cast votes and the number of votes which may be cast for election of members to the Board and on all other matters to be voted on by the Members will be calculated as set forth below. Owners entitled to votes pursuant to (a) below are hereinafter sometimes referred to as "*Class A Members*". Declarant, which is entitled to vote pursuant to both (a) and (b) below, is hereinafter sometimes referred to as the "*Class B Member*".

- (c) Subsection (e) is hereby added to Section 2.03 of the Declaration and provides as follows:

(c) Each Owner of a Condominium Unit will have the number of votes for such Condominium Unit so owned as determined by Declarant at the time the declaration of condominium regime is first recorded as a Subordinate Declaration in the Official Public Records of Williamson County, Texas for the portion of the Property within which such Condominium Unit is located. Declarant will determine such votes in its sole discretion, taking into account, among other things, the relationship of Condominium Units to the entire Property. Declarant's determination regarding the number of votes to which such Owners will be entitled will be final, binding and conclusive. Such determination of Declarant may be set forth in the Subordinate Declaration filed by Declarant pursuant to Section 1.07 above for the portion of the Property within which such Condominium Unit(s) are located. Prior to the time any Condominium Units in the Property are conveyed by Declarant to any person not affiliated with Declarant, Declarant may amend or modify its allocation of votes by filing an amended notice in the Official Public Records of Williamson County, Texas, setting forth the amended allocation. The Declarant, in its sole and absolute discretion, may modify or amend the number of votes previously assigned to a Condominium Unit if the Improvements actually constructed on the Condominium Unit differ substantially from the Improvements contemplated to be constructed thereon at the time a notice allocating votes thereto was originally filed. In the event of a modification to the votes allocated to a Condominium Unit, the Declarant will file of record an amended vote determination setting forth the revised allocation of votes attributable to such Condominium Unit.

5. **Amendment of Section 3.06.** The third sentence of Section 3.06 of the Declaration is hereby deleted in its entirety and the following is substituted in its place:

The construction of any single family residence on a Lot, or of any Condominium Unit, pursuant to approved Plans and Specifications shall be completed within eighteen (18) months after the Plans and Specifications have been approved by the ADRC.

6. **Amendment of Section 6.01.** The following sentence is hereby added as the second sentence of Section 6.01 of the Declaration:

Provided, however, that while a Condominium Unit shall be otherwise subject for all purposes to the provisions of this Declaration concerning Assessments levied pursuant to this Article VI, Assessments established pursuant to this Declaration shall be levied against each Condominium Unit in amounts determined pursuant to Section 6.04A below.

7. **Addition of Section 6.04A.** Section 6.04A is hereby added to the Declaration and provides as follows:

**6.04A Condominium Unit Assessments.** Each Condominium Unit will be subject to an Assessment as determined by Declarant at the time that the declaration of condominium regime is first recorded as a Subordinate Declaration in the Official Public Records of Williamson County, Texas for the portion of the Property within which such Condominium Unit is located. Declarant will determine such Assessment in its sole and absolute discretion taking into account, among other things, the relationship of such Condominium Unit to the entire Property. Declarant's determination regarding the Assessment applicable to each Condominium Unit will be final, binding and conclusive. Such determination of Declarant (or the Board, as the case may be) may be set forth in the Subordinate Declaration filed by Declarant pursuant to Section 1.07 for the portion of the Property within which such Condominium Unit(s) are located. The Declarant, in its sole and absolute discretion, may modify or amend the Assessment previously assigned to a Condominium Unit if the Improvements actually constructed on the Condominium Unit differ substantially from the Improvements contemplated to be constructed thereon at the time the Subordinate Declaration allocating Assessments thereto was originally filed. In the event of a modification to the Assessment allocated to a Condominium Unit, the Declarant will file of record an instrument setting forth the revised Assessment attributable to the Condominium Unit.

8. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

Executed on this 3<sup>rd</sup> day of January, 2006.

**CONTINENTAL HOMES OF TEXAS, L.P.**  
a Texas limited partnership

By: CHTEX of Texas, Inc.,  
(a Delaware corporation)  
Its General Partner

By: Richard N. Maier  
Vice President

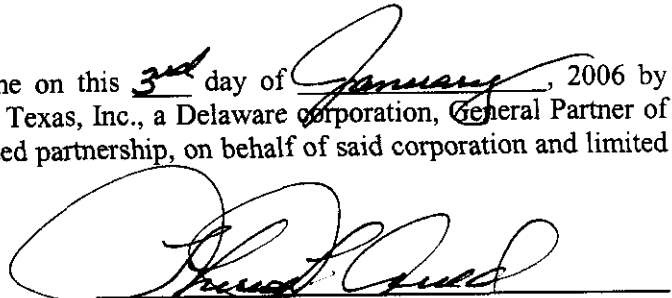
THE STATE OF TEXAS

COUNTY OF TRAVIS

§  
§  
§

This instrument was executed before me on this 3rd day of January, 2006 by Richard N. Maier, Vice-President of CHTEX of Texas, Inc., a Delaware corporation, General Partner of Continental Homes of Texas, L.P., a Texas limited partnership, on behalf of said corporation and limited partnership.

(seal)

  
Notary Public, State of Texas



**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS 2006001163

*Nancy E. Rister*

01/05/2006 04:09 PM

PAUL \$32.00

NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS