

**AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE RESORT AT EAGLE MOUNTAIN LAKE,
A TARRANT COUNTY SUBDIVISION**

THE STATE OF TEXAS

§

§

§

§

KNOW ALL PERSONS
BY THESE PRESENTS:

COUNTY OF TARRANT

WHEREAS, The Resort At Eagle Mountain Lake, L.P. (the "Declarant") was the owner of certain property in the County of Tarrant, State of Texas, known as The Resort At Eagle Mountain Lake, (the "Property") and more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes; and

WHEREAS, by the certain instrument entitled Declaration of Covenants, Conditions, and Restrictions for The Resort At Eagle Mountain Lake, which was recorded in the Official Public Records of Tarrant County, Texas under Clerk's File No. D199192720 (the "Prior Restrictions"), the Declarant did impose on the Property all those certain covenants, conditions and restrictions easements, charges, and liens therein set forth and;

WHEREAS, the Prior Restrictions at Article I, Section 1.2 provide; and

WHEREAS, Texas Property Code, Section 204.008(2) provides that a modification of restrictions proposed by a property owner's association may be adopted at a meeting of the members represented by the property owner's association if written notice of the meeting stating the purpose of the meeting is delivered to each owner of property in the subdivision; and

WHEREAS, the amendment to the Declaration set forth below was proposed by The Resort At Eagle Mountain Lake Owner's Association; and

WHEREAS, the notice of the 2000 Annual Meeting of the members of the Association stated that one of the purposes of the 2000 Annual Meeting of the members of the Association was to have the members of the Association vote on amending and restating the Prior Restrictions as set forth below; and

WHEREAS, Article I, Section 1.2 approved the amendment to the Prior Restrictions set forth below as evidenced by the signatures of the President and Secretary of the Association to this document.

NOW, THEREFORE, Article I, Section 1.2 have adopted, established and imposed upon all the Lots in the Property, the following restrictions and covenants, all of which are for the

purpose of enhancing and protecting the value, desirability and attractiveness of the Lots in the Property for the benefit of present and future owners, which restrictions and covenants shall take the place of the Prior Restrictions and which shall run with the land and shall be binding upon all parties having or acquiring any right, title or interest in any of the Lots in the Property and shall inure to the benefit of each Owner thereof.

Exhibit "C": The Resort Architectural Rules: Section 5.21(a) Front Yard. Structures may not be closer than forty-three feet (43') from the front property line; shall be amended as follows: "Section 5.21 (a) Front Yard. Structures may not be closer than twenty five feet (25') from the front property line."

IN WITNESS WHEREOF, the President and Secretary of the Association execute this document evidencing that they consented to and approved the amendment of the Prior Restrictions at the 2000 Annual Meeting of the members of the Association to be effective upon the date of filing of this Declaration in the Official Public Records of Real Property of Tarrant County, Texas.

EXECUTED AND DATED this the 26th day of December, 2000.
ATTEST:

The Resort At Eagle Mountain Owner's Association,
a Texas Non-Profit Corporation

By: [Signature]

Name: Mehrdad Moayed

Title: President

By: [Signature]

Name: Ross Calhoun

Title: Secretary

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned notary public, on this day personally appeared Mehrdad Moayed, as President of The Resort at Eagle Mountain Lake Homeowner's Association and Ross Calhoun, as Secretary of The Resort At Eagle Mountain Lake Homeowner's Association, 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 purpose and consideration therein expressed. SUBSCRIBED AND SWORN TO BEFORE ME on this the 26th day of December, 2000, to certify which witness my hand and official seal.



[Signature]
Notary Pubic - State of Texas