

AFTER RECORDING RETURN TO:

William P. McLean
McLean & Howard, L.L.P.
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Austin, Texas 78746

**FOURTH AMENDMENT TO
COMMUNITY DESIGN BOOK FOR
CIMARRON HILLS**

This Fourth Amendment to Community Design Book for Cimarron Hills (this "**Amendment**") is made this 26th day of April, 2016 by **CIMARRON HILLS DEVELOPMENT, L. L. C.**, an Arizona limited liability company authorized to do business in Texas (the "**Declarant**"), and is as follows:

RECITALS

WHEREAS, Cimarron Hills, a master planned community located in Williamson County, Texas (the "**Community**"), was established pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Cimarron Hills recorded as Document No. 2001007792 and corrected and re-recorded as Document No. 2001010234, Official Public Records of Williamson County, Texas (collectively the "**Original Declaration**"); and

WHEREAS, Declarant acquired its rights as Declarant under the Declaration pursuant to the Assignment of Declarant Rights recorded under Document No. 2012087326 in the Official Public Records of Williamson County, Texas; and

WHEREAS, pursuant to Article XVII, Section 2 of the Original Declaration, Declarant amended the Original Declaration by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for Cimarron Hills recorded as Document No. 2012087525, Official Public Records of Williamson County, Texas (the "**First Amendment**"), as corrected by that certain Correction First Amendment to Declaration of Covenants, Conditions and Restrictions for Cimarron Hills recorded as Document No. 2012103027, Official Public Records of Williamson County, Texas (the "**Correction Amendment**"), and by that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions for Cimarron Hills recorded as Document No. 2013019699, Official Public Records of Williamson County, Texas (the "**Second Amendment**") (the Original Declaration, the First Amendment, as corrected by the Correction Amendment, and the Second Amendment are collectively referred to as the "**Declaration**"); and

WHEREAS, pursuant to Article VI, Section 2 of the Original Declaration, as amended by Section 3 of the First Amendment, Declarant has the sole and full authority to amend the Community Design Book prior to the Turnover Date; and

WHEREAS, Declarant has previously amended the Community Design Book by that certain First Amendment to Community Design Book for Cimarron Hills recorded as Document No. 2012103028, Official Public Records of Williamson County, Texas (the "**Design Book First Amendment**"), by that certain Second Amendment to Community Design Book for Cimarron Hills recorded as Document No. 2014062926, Official Public Records of Williamson County, Texas (the "**Design Book Second Amendment**"), and by that certain Third Amendment to Community Design Book for Cimarron Hills recorded as Document No. 2014091214, Official Public Records of Williamson County, Texas (the "**Design Book Third Amendment**") (the Community Design Book, Design Book First Amendment, Design Book Second Amendment and Design Book Third Amendment are collectively referred to herein as the "**Community Design Book**"); and

WHEREAS, the Turnover Date has not occurred; and

WHEREAS, Declarant desires to further amend the Community Design Book as set forth herein to clarify certain provisions of the Community Design Book pertaining to the contemplated construction of homesites within the Fairway Lots and the Golf Villas.

NOW THEREFORE, THE COMMUNITY DESIGN BOOK IS HEREBY AMENDED AS FOLLOWS:

1. Fairway Lots Addendum. Exhibit "A" attached to the Design Book First Amendment is hereby modified to include the following quoted provision as a new Paragraph 14 immediately following the existing Paragraph 13 contained therein (the remainder of Exhibit "A" shall remain unmodified):

"14. The second subsection of Section 5.2 of the Community Design Book is hereby modified to include the following quoted provision:

"Though 4-sided architecture is the goal of the Cimarron Hills Golf Club, 2-sided architecture should be of primary concern for plan design in the Fairway Lots due to the reduced lot widths. Both front and rear elevations, as well as side elevations on corner Lots, should maintain the design integrity, material usage and visual interest as the front."

2. Golf Villas Addendum. Exhibit "B" attached to the Design Book Third Amendment is hereby modified to include the following quoted provision as a new Paragraph 14 immediately following the existing Paragraph 13 contained therein (the remainder of Exhibit "B" shall remain unmodified):

"14. The second subsection of Section 5.2 of the Community Design Book is hereby modified to include the following quoted provision:

"Though 4-sided architecture is the goal of the Cimarron Hills Golf Club, 2-sided architecture should be of primary concern for plan design in the Golf Villas due to the reduced lot

widths. Both front and rear elevations, as well as side elevations on corner Lots, should maintain the design integrity, material usage and visual interest as the front.”

3. Interpretation of Amendment. Unless defined otherwise herein, all capitalized terms shall have the same meaning ascribed to such terms in the Declaration and Community Design Book. The provisions of this Amendment are hereby incorporated into and made a part of the Community Design Book with respect to all Lots and Units within the Community. The terms and conditions of the Community Design Book, as amended herein with respect to the Fairway Lots and the Golf Villas, shall continue in full force and effect with respect to all Lots and Units within the Community.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the date set forth above.

DECLARANT:

CIMARRON HILLS DEVELOPMENT, L.L.C.,
an Arizona limited liability company

By: CIMARRON 2009, LLC,
an Arizona limited liability company, its Sole Member

By: DT LIFESTYLE, L.L.C.,
an Arizona limited liability company,
fka DTR1B, L.L.C., its Sole Member

By: DTR1, L.L.C., an Arizona
limited liability company, its Manager

By: DESERT TROON LIMITED, L.L.C.,
an Arizona limited liability company, its Manager

By: DT INVESTMENTS, INC.,
an Arizona corporation, its Manager

By: *[Signature]*
Name: Gary S. Elbogen
Title: Vice President

THE STATE OF ARIZONA
COUNTY OF MARICOPA

This instrument was acknowledged before me on this 26th day of April, 2016, by Gary S. Elbogen as Vice President of DT Investments, Inc., an Arizona corporation, the manager of Desert Troon Limited, L.L.C., an Arizona limited liability company, the manager of DTR1, L.L.C., an Arizona limited liability company, the manager of DT Lifestyle, L.L.C. fka DTR1B, L.L.C., an Arizona limited liability company, the sole member of Cimarron 2009, LLC, an Arizona limited liability company, the sole member of Cimarron Hills Development, L.L.C., an Arizona limited liability company, on behalf of said entities.

Deanne C Hagey
Notary Public, State of Arizona



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