

Electronically Recorded

Tarrant County Texas

Official Public Records

1/31/2012 10:04 AM

D212023117

Mary Louise Garcia
Mary Louise Garcia

PGS 6 \$36.00
Submitter: ACS

**SUPPLEMENTAL DECLARATION
TO
HERITAGE RESIDENTIAL ASSOCIATION DECLARATION
(Phase 2G)**

Republic of Texas, Inc. - Cowley
GF # Hillwood Alliance Residential Association

THIS SUPPLEMENTAL DECLARATION TO THE HERITAGE RESIDENTIAL ASSOCIATION DECLARATION (this "Supplemental Declaration") is entered into this 30th day of January, 2012, by **HILLWOOD ALLIANCE RESIDENTIAL, L.P.**, a Texas limited partnership (the "Declarant").

RECITALS:

WHEREAS, Declarant executed that certain Heritage Residential Association Declaration dated August 22, 2000 and recorded it on August 28, 2000 in the Real Property Records of Tarrant County, Texas in Volume 14494, Page 0158 as Document No. D200192458, as may be further amended (the "Declaration"); and

WHEREAS, Article VI, Section 6.11 of the Declaration entitled "Annexation," states Declarant may, without the approval of the Association, its Members or any other Person, annex additional property into the property covered by the Declaration prior to the Conversion Date and such annexation shall be made by the recording a supplemental declaration in the Real Property Records of Tarrant County, Texas; and

WHEREAS, Article VI, Section 6.11 of the Declaration also states that a supplemental declaration authorized by Section 6.11 shall extend or delete, as applicable, provisions of the Declaration to or from such annexed property provided that the supplemental declaration, in the case of annexation, may add or amend provisions of the Declaration as the Board deems necessary or appropriate to extend the Declaration to the annexed property; and

WHEREAS, Declarant desires to annex that certain real property located in Tarrant County, Texas as more particularly described on Exhibit A to this Supplemental Declaration ("Additional Property") and to modify provisions of the Declaration as they may apply to that certain portion of the Additional Property that falls outside the boundaries of the Public Improvement District No. 7 (the "PID") which portion is shown on Exhibit B to this Supplemental Declaration ("Non-PID Additional Property"); and

WHEREAS, the Conversion Date has not occurred and Declarant desires to exercise its right to subject the Additional Property, to the provisions set forth in the Declaration as may be amended as to the Additional Property by this Supplemental Declaration which amendments are deemed necessary and appropriate in accordance with the Declaration.

NOW THEREFORE, for and in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Declaration is hereby supplemented and amended as to the Additional Property as follows:

1. Addition of Property. Declarant desires that the Additional Property become subject to the provisions of the Declaration pursuant to this Supplemental Declaration as of the date this Supplemental Declaration is recorded in the Real Property Records of Tarrant County, Texas. Accordingly, Declarant adopts, establishes and imposes upon the Additional Property all of the covenants, restrictions, easements, liens and charges set forth in the Declaration, supplemented and amended as set forth herein and the Additional Property shall be held, transferred, sold, conveyed and occupied subject to such covenants, restrictions, easements, liens and charges set forth in the Declaration as supplemented and amended by this Supplemental Declaration.

2. Modification of Assessments for Non-PID Additional Property. Article III, Section 3.02 shall be amended and supplemented as follows insofar as such provision applies to the Non-PID Additional Property:
- a. Regular Assessments. Owners of Lots included in the Non-PID Additional Property shall not be subject to those PID assessments allocated to other Lots that are located within the boundaries of the PID as more particularly described as a portion of Regular Assessments in Section 3.02 of the Declaration.
 - b. Additional Assessments. Owners of Lots included in the Non-PID Additional Property shall be subject to an annual additional assessment for those services performed by the Association that would otherwise be performed by the PID if the Non-PID Additional Property were located within the boundaries of the PID ("Non-PID Assessment"). The Non-PID Assessment amounts may be increased in accordance with Section 3.02 of the Declaration.
 - c. Initial Non-PID Assessments. Lots located in the Non-PID Additional Property shall be subject to an initial annual Non-PID Assessment amount of \$420.00 per Lot.
3. Membership. All Lot Owners in the Additional Property, including Owners of Lots of Non-PID Additional Property, will be Members of the Heritage Homeowners Association, Inc. (the "Association") and will have all the rights, duties and obligations of Members set forth in the Declaration. The Association will be responsible for maintaining all of the Common Areas in the Additional Property, including the Non-PID Additional Property and will be authorized to, and responsible for, the enforcement of the provisions set forth in this Supplemental Declaration and all other restrictive covenants set forth in the Declaration.
4. No Other Changes. Except as expressly modified herein, the Declaration remains unmodified and in full force and effect. All terms used herein with initial capital letters and not otherwise defined shall have the meanings specified in the Declaration.

[Remainder of Page Intentionally Left Blank – Signature Page to Follow]

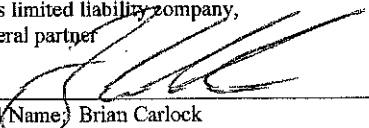
30 IN WITNESS WHEREOF, the Declarant has caused this Supplemental Declaration to be executed on the day of January, 2012.

DECLARANT:

HILLWOOD ALLIANCE RESIDENTIAL, L.P.,
a Texas limited partnership


By: Hillwood Operating, L.P.,
a Texas limited partnership,
its general partner

By: Hillwood Services GP, LLC,
a Texas limited liability company,
its general partner

By: 
Printed Name: Brian Carlock
Title: Vice President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on January 30, 2012, by Brian Carlock, Vice President of Hillwood Development Corporation, a Texas corporation, general partner of Hillwood Operating, L.P., a Texas limited partnership, general partner of Hillwood Alliance Residential, L.P., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said entities.



Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Hillwood
Three Lincoln Centre
5430 LBJ Freeway, Suite 800
Dallas, Texas 75240
Attn: Amy R. Reed, Esq.



EXHIBIT A

Additional Property

BEING a tract of land situated in the Samuel P. Williams Survey, Abstract Number 1690, Tarrant County, Texas, and being a portion of that certain tract of land described by deed to Alliance Residential, L.P., formerly known as Hillwood/2500, LTD. (Tract 6), as recorded in Volume 9409, Page 1403, County Records Tarrant County, Texas and being all of that certain tract of land described by deed to Hillwood Alliance Residential, L.P., as recorded in Volume 14640, Page 506, said County Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod with yellow cap found for the northwest corner of said Hillwood Alliance Residential tract (Volume 14640, Page 506);

THENCE S 89°57'19" E, 27.36 feet (previously recorded as S89°40'37"E) along the north property line of said Hillwood Alliance Residential tract (Volume 14640, Page 506), and the south line of that tract of land described by deed to the City of Fort Worth, as recorded in County Clerk's filing number D209234717, said County Records, to a 5/8" iron rod with a yellow cap stamped "Peloton" set being the southeast corner of said City of Fort Worth tract;

THENCE N 00°40'45" W, 340.41 feet (previously recorded as N00°07'47"W) along the east property line of said City of Fort Worth Tract to a 5/8" iron rod with a yellow cap stamped "Peloton" set ;

THENCE N 06°19'20" E, 187.09 feet (previously recorded as N06°52'18"E) along the east property line of said City of Fort Worth Tract to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE N 11°16'22" E, 367.35 feet (previously recorded as N11°49'21"E) along the east property line of said City of Fort Worth Tract to a 5/8" iron rod with a yellow cap stamped "Peloton" set being in the south right-of-way line of Heritage Trace Boulevard (a variable width right-of-way);

THENCE S 80°45'20" E, 325.87 feet along said south right-of-way line to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE S 09°14'40" W, 297.39 feet departing said south right-of-way line to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE S 80°17'02" E, 350.67 feet to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE S 84°16'12" E, 47.34 feet to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE S 89°23'00" E, 199.57 feet to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE N 82°46'22" E, 42.16 feet to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE N 69°54'35" E, 100.00 feet to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE N 77°19'31" E, 37.52 feet to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE S 13°48'58" E, 132.41 feet to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE S 90°00'00" E, 215.07 feet to a 5/8" iron rod with a yellow cap stamped "Peloton" set in the approximate center line of North Beach Street (a variable width right-of-way);

THENCE S 00°27'40" E, 26.12 feet along said center line to a 5/8" iron rod with a yellow cap stamped "Peloton" set;

THENCE S 59°42'17" W, 186.47 feet (previously recorded as N60°02'14"E, 186.65') departing said center line and along the northwesterly line of that tract of land described by deed to Heritage Glen Retail Joint Venture as recorded in County Clerk's filing number D205001429, said County Records, to a 5/8" iron rod with a yellow cap stamped "Peloton" set being the beginning of a curve to the left;

THENCE 273.11 feet, along the northwesterly line of said Heritage Glen Retail Joint Venture tract and along the arc of said curve, through a central angle of $39^{\circ}07'12''$, whose radius is 400.00 feet, and the long chord which bears $S 40^{\circ}08'41'' W$, 267.84 feet (previously recorded as $N40^{\circ}28'28''E$) to a $5/8''$ iron rod with a yellow cap stamped "Peloton" set;

THENCE $S 20^{\circ}35'05'' W$, 74.62 feet (previously recorded as $N20^{\circ}55'02''E$, 74.72) continuing along said northwesterly line of Heritage Glen Retail Joint Venture tract to a $1/2''$ iron rod with yellow cap found, said point being in the north line of Lot 6X, Block 12, Heritage Glen Addition, as recorded in Cabinet A, Slide 8723, Plat Records, Tarrant County, Texas;

THENCE $N 89^{\circ}57'19'' W$, 153.74 feet along the north line of said Lot 6X to a $1/2''$ iron rod with yellow cap found for the northeast corner of said Hillwood Alliance Residential Tract;

THENCE $S 00^{\circ}02'31'' W$, 58.93 feet (previously recorded as $S00^{\circ}19'23''W$, 58.90') along the east line of said Hillwood Alliance Residential Tract and the west line of said Lot 6X to a $5/8''$ iron rod with a yellow cap stamped "Peloton" set;

THENCE $S 29^{\circ}57'28'' W$, 430.01 feet (previously recorded as $S30^{\circ}14'20''W$, 430.10') continuing along the east line of said Hillwood Alliance Residential Tract and the west line of said Lot 6X to a $5/8''$ iron rod with a yellow cap stamped "Peloton" set for the southeast corner of said Hillwood tract;

THENCE $N 89^{\circ}57'29'' W$, 672.91 feet (previously recorded as $N89^{\circ}40'37''w$, 673.10') along the south line of said Hillwood Alliance Residential Tract and the north line of said Lot 6X and then along the north line of Lot 2X, Block 12 of said Heritage Glen Addition to a $1/2''$ iron rod with yellow cap found being the northwest corner of said Lot 2X, and the southwest corner of said Hillwood tract;

THENCE $N 00^{\circ}01'38'' E$, 431.69 feet (previously recorded as $N00^{\circ}19'23''E$) along the west line of said Hillwood Alliance Residential Tract and the east line of Lot 5X, Block 12 of said Heritage Glen Addition to the **POINT OF BEGINNING**, and containing 1,039,193 square feet, or 23,857 acres of land more or less.

Bearings based on the Texas State Plane Coordinate System, North Central Zone, NAD 83.

