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**AMENDMENT OF SECOND AMENDMENT
TO
DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS
(HERITAGE)**

This AMENDMENT OF SECOND AMENDMENT TO DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS (“**Amendment**”) is made this 13th day of October, 2010 by Hillwood Alliance Residential, L.P., a Texas limited partnership (the “**Declarant**”), joined herein by the Hillwood Homeowners Association, Inc. acting by and through its Board of Directors;

WITNESSETH:

WHEREAS, Declarant recorded that certain Declaration of Covenants, Easements and Restrictions dated November 28, 2000, and recorded December 4, 2000, under Document No. D200270234, Real Property Records of Tarrant County, Texas (the “**Declaration**”); and

WHEREAS, that certain Second Amendment to Declaration of Covenants, Easements and Restrictions (Heritage) dated December 17, 2002, was recorded January 9, 2003 as Document No. D203012666, Real Property Records of Tarrant County, Texas, (“**Second Amendment**”) amending and supplementing Section 1.7 by adding the following provision:

“(aa) No permanent flagpole shall be permitted to be constructed on a Lot. Flags may be displayed from the front façade of a residence temporarily during holidays.”

WHEREAS, the Board of Directors has determined that the Association’s welfare would be best served by amending the prohibition of flagpoles stated in the Second Amendment as provided below; and

WHEREAS, the amendment set forth below has been duly approved in accordance with Section 3.14 of the Declaration;

NOW, THEREFORE, effective as of the first date above, Section 1.7(aa) of the Declaration as amended by the Second Amendment is hereby further amended to provide that permanent flagpoles will be permitted subject to compliance with the following rules and guidelines:

CONSTRUCTION GUIDELINES

1. Pole Height. Flagpoles must be 15 feet for a one-story home and 20 feet for a two-story home.
2. Flag Size. Flags must uniformly be 3’ x 5’ and made of 100% nylon.

3. Material
 - a. Pole. The pole must be made of fiberglass.
 - b. Pole Topper. The pole topper must be a metallic ball.
 - c. Rope & Hook. The rope and hook must be made of nylon and fiberglass so that they are quiet.
4. Pole Color. The pole color must be black.
5. Location. The flagpole must be installed at a location from 5' to 10' from the front of the house.
6. Approval. All permanent flagpole requests must be submitted to the Modification Control Committee showing the design, materials, location on the Lot and such other information as may be required by the Declaration or the Committee. Approval in writing must be received from the Committee prior to commencement of the installation of the flagpole.

RULES

1. Only the United States flag shall be authorized to fly from the flagpole.
2. The flag will not be flown during the hours of darkness unless the flag is lighted by a spotlight continuously during the hours of darkness.
3. The flag will not be displayed on days when the weather is inclement. Notwithstanding the foregoing, an all weather flag may be displayed in such weather.
4. All flags and flagpoles must be maintained in good condition and appearance. Any flag that is worn, tattered, or not in good condition must be immediately removed and disposed of properly in accordance with United Code Section 4.

AMENDMENT AND ADMINISTRATION

The Board is hereby delegated the authority to amend or supplement the guidelines and rules provided herein by a bulletin or resolution published to the membership of the Association and filed in the county records as required by law.