

Amberwood Farms HOA
Amendments to the CCRs

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1. Amendment #1 – General
2. Amendment #2 – Vehicles

(a) Article I, Subsection (k)(i) of the Declaration currently reading as follows:

"(k) "Common Properties" shall mean the following:

- (i) Any and all greenbelt areas, landscape easements, floodways, creeks, drainage ways, open spaces or other similar areas as shown on the Plat (as hereinafter defined) of the Subdivision, whether within or surrounding or along the boundaries of the Property, including, without limitation any portions thereof lying within or beneath a lake, any floodway and flood plain access easement;"

is hereby amended to read as follows:

"(k) "Common Properties" shall mean the following:

- (i) Any and all greenbelt areas, landscape easements, floodways, creeks, drainage ways, open spaces or other similar areas as shown on the Plat (as hereinafter defined) of the Subdivision, except those lying within the boundaries of a Lot, whether within or surrounding or along the boundaries of the Property, including, without limitation any portions thereof lying within or beneath a lake, any floodway and flood plain access easement;"

(b) Article VI, Section 6.29 of the Declaration is supplemented by the addition of the following:

"Each Owner shall maintain the exterior appearance of the drainage easements and other similar areas located within the boundaries of said Owner's Lot. The Association shall be responsible for any other repair and maintenance of the drainage easements. Each Owner shall fully maintain the floodways, creeks, and open spaces within the boundaries of said Owner's Lot. Nothing herein shall be deemed to change the provisions of Section 3.10 or Section 8.04 of the Declaration and the Association shall retain the responsibility to the City to insure that maintenance of creeks, flood plains, and drainage ways, wherever located, are maintained."

3. Construction Completion Time. Article VI, Section 6.20 which currently provides that construction of a residence must be commenced within six (6) months after the purchase of a Lot and completed on or before nine months from the date of issuance of a building permit or the Board may assess liquidated damages, is hereby amended to allow one (1) year after the purchase of a Lot for commencement of construction and nine (9) months from the date of issuance of a building permit for such Lot prior to assessment of liquidated damages.

4. Removal of Trees. Section 7.08 is added to Article VII of the Declaration reading as follows:

"7.08 Consent Required for Removal of Certain Trees. No tree having a stock greater than 2" in diameter shall be removed from the drainage ways and easements on a Lot without the prior written consent of the Architectural Control Committee."

EXECUTED on the day and year first written above.

DECLARANT:

AMBERWOOD FARMS, LTD.,
a Texas limited partnership

By: Amberwood Farms One, Inc.,
a Texas Corporation
General Partner

By: *Toby Haggard*
Toby Haggard
President

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the 11th day of June, 2000, by Toby Haggard, President of Amberwood Farms One, Inc., General Partner, on behalf of Amberwood Farms, Ltd., a Texas limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11th day of June, 2000.



Patricia Ann Durbin
Notary Public

EXHIBIT "A"

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AmberwoodHOA\20/Phases One & Two

Amberwood Farms Phase I

SITUATED in the State of Texas, County of Collin, being part of the George Horn Survey, Abstract No. 412, the W.T. Horn Survey, Abstract No. 419, being part of Amberwood Farms Phase One, an addition to the Town of Propser recorded in Cabinet K, Page 515-516 of the Collin County Plat Records with said premises being more particularly described by metes and bounds as follows:

BEGINNING at a 1-inch iron pipe found in the south right-of-way line of F.M. Road No. 1461 (90' R.O.W.) marking the most northerly northeast corner of Amberwood Farms Phase One;

THENCE with an east line of Amberwood Farms Phase One, South 02°19'20" West, passing at 15.00 feet a 1/2-inch iron rod found marking the northwest corner of Collin Green Addition, an addition to Collin County as recorded in Cabinet G, Page 245 of the Collin County Plat Records, and continuing with the west line of said Collin Green Addition a total distance of 619.90 feet to a 1/2-inch iron rod found for corner;

THENCE continuing with the west line of said Collin Green Addition and an east line of Amberwood Farms Phase One, South 02°14'47" West, 590.39 feet to a 1/2-inch iron rod found marking the southwest corner of Collin Green Addition and the northwest corner of a 70 acre tract recorded in Volume 390, Page 353 of the Collin County Deed Records;

THENCE with the west line of said 70 acre tract and an east line of Amberwood Farms Phase One, South 01°11'17" West, 133.72 feet to a 1/2-inch iron rod found marking the southeast corner of the premises herein described, the southeast corner of Amberwood Farms Phase One and the northeast corner of Amberwood Farms Phase Two as recorded in Cabinet M, Pages 3-4 of the Collin County Plat Records;

THENCE with the southerly line of said premises and a common line between Amberwood Farms Phase One and Amberwood Farms Phase Two, North 87°45'13" West, 673.03 feet to a 1/2-inch iron rod found in the curving east right-of-way line of Harvest Ridge Lane;

THENCE crossing said roadway, South 69°49'10" West, 50.00 feet to a point in the curving west right-of-way line of Harvest Ridge Lane;

THENCE with the west right-of-way line of Harvest Ridge Lane as follows:

Southeasterly along a curve to the right having a central angle of 21°22'07" with a radius of 250.00 feet, for an arc distance of 93.24 feet (chord = South 09°29'46" East, 92.70 feet) to the end of said curve; South 01°11'17" West, 128.55 feet to a 1/2-inch iron rod found marking the beginning of a curve to the right;

Southwesterly along said curve having a central angle of 21°01'04" with a radius of 975.00 feet, for an arc distance of 357.66 feet (chord = South 11°41'49" West, 355.66 feet) to a 1/2-inch iron rod found;

THENCE departing said west right-of-way line, North 67°47'38" West, 294.75 feet to a 1/2-inch iron rod found;

THENCE South 51°30'24" West, 571.86 feet to a Roome capped 1/2-inch iron rod set;

THENCE 00°07'36" West, 338.93 feet to a Roome capped 1/2-inch iron rod set;

THENCE South 67°23'38" West, 410.85 feet to a Roome capped 1/2-inch iron rod set in the east right-of-way line of Wheatland Road;

THENCE crossing said roadway, South 66°07'14" West, 50.12 feet to an "X" set in a concrete headwall in the west right-of-way line of Wheatland Road;

THENCE departing said west right-of-way line, South 39°53'41" West, 588.94 feet to a point in the middle of Wilson Creek marking the most southerly southwest corner of the herein described premises, the southwest corner of Amberwood Farms Phase One and the northwest corner of Amberwood Farms Phase Two;

THENCE with the west line of said premises, the upstream meanders and middle of Wilson Creek as follows:

North 53°19'25" West, 213.22 feet; North 21°29'10" West, 318.55 feet; North 12°20'39" East, 360.10 feet; North 47°22'43" West, 455.30 feet; North 33°19'00" West, 130.70 feet; North 16°16'19" West, 266.30 feet; North 24°27'30" West, 89.60 feet to the most westerly northwest corner of the herein described premises;

THENCE with the general course and middle of a small branch along a northwest line of Amberwood Farms Phase One, the southeast line of a 39.97 acre tract recorded in Volume 1281, Page 300 of the Collin County Deed Records as follows:

North 55°54'52" East, 628.27 feet; North 77°10'25" East, 459.29 feet to a 1/2-inch iron rod found marking southwest corner of Furr's tract recorded in Volume 365, Page 485 and Volume 557, Page 563 of the Collin County Land Records and continuing along Furr's southeast line as follows:

North 73°34'22" East, 12.18 feet; North 69°07'22" East, 396.73 feet to a 1/2-inch iron found; North 47°00'41" East, 1476.32 feet to 1/2-inch iron rod found in the south right-of-way line of the aforementioned F.M. Road No. 1461 marking the most northerly northwest corner of Amberwood Farms Phase One;

THENCE with the south right-of-way line of F.M. Road No. 1461 and the most northerly north line of Amberwood Farms Phase One, South 88°14'05" East, 653.11 feet to the place of beginning and containing 96.838 acres of land.

Amberwood Farms Phase II

SITUATED in the State of Texas, County of Collin, being part of the George Horn Survey, Abstract No. 412, the W.T. Horn Survey, Abstract No. 419, being part of the Final Plat Amberwood Farms Phase Two and a Replat of Lot 4, Block B and Lots 20 through 25, Block A of Amberwood Farms, Phase One, an addition to the Town of Prosper recorded in Cabinet M, Page 3 and 4 of the Collin County Plat Records with said premises being more particularly described by metes and bounds as follows:

COMMENCING at a 1-inch iron pipe found in the south right-of-way line of F.M. Road No. 1461 (90' R.O.W.) marking the northeast corner of Amberwood Farms Phase One, an addition to the Town of Prosper recorded in Cabinet K, Pages 515-516 of the Collin County Plat Records;

THENCE with an east line of Amberwood Farms Phase One, South 02°19'20" West, passing at 15.00 feet a 1/2-inch iron rod found marking the northwest corner of Collin Green Addition, an addition to Collin County as recorded in Cabinet G, Page 245 of the Collin County Plat Records, and continuing with the west line of said Collin Green Addition a total distance of 619.90 feet to a 1/2-inch iron rod found for corner;

THENCE continuing with the west line of said Collin Green addition and an east line of Amberwood Farms Phase One, South 02°14'47" West, 590.39 feet to a 1/2-inch iron rod found marking the southwest corner of said Collin Green Addition and the northwest corner of a 70 acre tract recorded in Volume 390, Page 353 of the Collin County Deed Records;

THENCE with the west line of said 70 acre tract and an east line of Amberwood Farms Phase One, South 01°11'17" West, 133.72 feet to a point marking the northeast corner and PLACE OF BEGINNING of the premises herein described, said corner also being the southeast corner of Amberwood Farms Phase One and the northeast corner of Amberwood Farms Phase Two;

THENCE continuing with the west line of said 70 acre tract and an east line of Amberwood Farms Phase Two, South 01°11'17" West, 1270.55 feet to a 1/2-inch iron rod found for corner;

THENCE with a south line of Amberwood Farms Phase Two, North 89°33'53" West, 336.95 feet to a 1/2-inch iron rod found for corner;

THENCE with an east line of Amberwood Farms Phase Two and the west line of Rhea Mills Estates, an addition to Collin County as recorded in Cabinet F, Page 753 of the Collin County Plat Records as follows:

South 02°26'52" West, 460.13 feet; South 01°41'37" West, 38.40 feet to a point in the middle of a small creek;

THENCE with the southerly line of Amberwood Farms Phase Two and the middle of said small creek as follows:

South 63°23'00" West, 166.15 feet; South 00°13'00"

East, 56.00 feet; South 15°28'50" East, 66.00 feet; South 28°04'50" West, 66.00 feet; North 46°50'13" West, 27.00 feet; South 71°51'00" West, 25.00 feet; South 21°14'20" West, 43.00 feet; South 70°14'30" West, 89.00 feet; South 33°08'27" West, 230.00 feet; South 36°30'40" West, 97.00 feet; South 39°10'00" West, 306.00 feet; South 08°45'00" West, 44.00 feet; South 85°27'35" West, 42.00 feet; South 40°04'52" West, 245.00 feet; North 48°04'21" West, 31.00 feet; South 50°52'35" West, 75.00 feet; South 62°55'20" West, 44.00 feet; South 16°41'21" West, 49.00 feet; South 65°22'18" West, 82.00 feet; South 68°27'00" West, 66.00 feet; South 13°00'00" West, 78.00 feet; South 48°00'00" West, 50.00 feet; South 52°28'00" West, 83.00 feet; South 60°30'00" West, 350.64 feet to its intersection with the meanders of Wilson Creek, said corner being the southwest corner of Amberwood Farms Phase Two;

THENCE with the upstream meanders of Wilson Creek and the west line of Amberwood Farms Phase Two as follows:

North 15°25'37" West, 73.49 feet; North 03°11'11" East, 200.50 feet; North 20°20'25" West, 239.50 feet; North 27°52'20" West, 514.55 feet; North 17°41'41" East, 210.70 feet; North 04°54'08" West, 354.35 feet; North 53°19'25" West, 45.78 feet to the most westerly northwest corner of the herein described premises, the northwest corner of Amberwood Farms Phase Two and the southwest corner of Amberwood Farms Phase One;

THENCE departing said creek and along a common line between Amberwood Farms Phase One and Phase Two, North 39°53'41" East, 588.94 feet to an "X" in a concrete headwall in the west right-of-way line of Wheatland Road;

THENCE crossing said road, North 66°07'14" East, 50.12 feet to a Roome capped 1/2-inch iron rod set in the east right-of-way line of Wheatland Road;

THENCE departing said east right-of-way line, North 67°23'38" East, 410.85 feet to a Roome capped 1/2-inch iron rod set;

THENCE North 00°07'36" East, 336.93 feet to a Roome capped 1/2-inch iron rod set;

THENCE North 51°30'24" East, 571.86 feet to a 1/2-inch iron rod found;

THENCE South 67°47'38" East, 294.75 feet to a 1/2-inch iron rod found in the curving west right-of-way line of Harvest Ridge Lane;

THENCE with the west right-of-way line of Harvest Ridge Lane as follows:

Northeasterly along a curve to the left having a central angle of 21°01'04" with a radius of 975.00 feet, for an arc distance of 357.66 feet (chord = North 11°41'49" East, 355.66 feet) to a 1/2-inch iron rod found marking the end of said curve;

North 01°11'17" East, 126.35 feet to a 1/2-inch iron rod found marking the beginning of a curve to the left; Northwesterly along said curve having a central angle of 21°22'07" with a radius of 250.00 feet, for an arc

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distance of 93.24 feet (chord = North 09°29'46" West,
92.70 feet) to a 1/2-inch iron rod found;

THENCE crossing said road, North 69°49'10" East, 50.00 feet
to a 1/2-inch iron rod found in the east right-of-way line of
said Harvest Ridge Lane;

THENCE departing the east right-of-way line of said roadway,
South 87°45'13" East, 673.03 feet to the point of beginning and
containing 91.019 acres of land.

SECOND AMENDMENT TO DECLARATION

OF

COVENANTS, CONDITIONS, AND RESTRICTIONS

FOR

AMBERWOOD FARMS

STATE OF TEXAS §

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN §

Filed for Record in:
Collin County, McKinney, TX
Honorable Brenda Taylor
Collin County Clerk

On Jan 06 2004
At 3:41pm

Doc/Num : 2004- 0002359

Recording/Type:RS 22.00
Receipt #: 559

This SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR AMBERWOOD FARMS ("Second Amendment") is made this 29 day of December, 2003, by Amberwood Farms Homeowner's Association, Inc.;

12/29/2003

[Faint, illegible signature or stamp]

Retto: Amberwood HOA
2711 N. Haskell, Suite 2650
Dallas, TX 75204

WITNESSETH:

WHEREAS, Declarant recorded that certain Declaration of Covenants, Conditions, Restrictions and Easements for Amberwood Farms on the 14th day of April, 1998, applicable to certain real property in Exhibit "A" thereto filed under Clerk's File No. 98-R0051110 and located in the City of Prosper, County of Collin, State of Texas

(**"Declaration"**); and

WHEREAS, Amberwood Farms, Ltd. as Declarant has heretofore prepared and filed that certain Supplemental Declaration of Covenants, Conditions, Restrictions, and Easements for Amberwood Farms (the "Supplemental Declaration") dated effective as of November 19, 1999, recorded in the Records of Collin County, Texas, under the Clerk's File No. 99-0142437 adding Phase II to the Declaration; and

WHEREAS, Amberwood Farms, Ltd. as Declarant has heretofore prepared and filed that certain Amendment to the Declaration of Covenants, Conditions, Restrictions, and Easements for Amberwood Farms (the "First Amendment") dated effective as of June 30, 2000, recorded in the Records of Collin County, Texas, under the Clerk's File No. 2000-0074671; and

WHEREAS, Section 9.03 of the Declaration of Covenants, Conditions, Restrictions and Easements for Amberwood Farms provides the Declaration may be amended as to any portion of the Property only by a document duly executed and acknowledged by Owners holding, in aggregate, seventy-five percent (75%) of the votes of all Members in Good Standing present at a duly called meeting at which a Regular Quorum is present; and

WHEREAS, on December 18, 2003, the amendment set forth below was duly approved by more than 75% of the votes of all Members in Good Standing present at a meeting in which a Regular Quorum was present;

NOW THEREFORE, effective as the first date above, Amberwood Farms Homeowner's Association hereby amends the Declaration as follows:

Section 6.18 currently reads as follows:

“Vehicles. Any automobile, truck, motorcycle, boat, boat trailer, mobile home, motor home, campmobile, camper, motorized vehicle or trailer shall be stored or placed in such a manner that the vehicle is not visible from any Street or from ground level view from an adjoining Lot. This is not intended to prohibit the parking of authorized vehicles on a driveway behind a dwelling, so long as any such authorized vehicles are not visible from any Street. Trucks with tonnage in excess of one (1) ton shall not be permitted to park overnight on the Streets, driveways or otherwise with the Property. No vehicle of any size which transports inflammatory or explosive cargo may be parked or stored within the property at any time. On-Street parking is restricted to deliveries, pick-up or short-time guests and invitees and shall be subject to such reasonable rules and regulations as shall be adopted from time to time by the Board. No Owner shall permit the accumulation of junk cars, junk vehicles, scrap metal, farm equipment, metal, a stack yard or any substance on any part of the Property that could or would constitute a nuisance to the surrounding Lot Owners.”

Is hereby amended to read as follows:

“Vehicles. No vehicle or similar equipment shall be placed or stored on any Lot that is visible from any street except for non-commercial use vehicles including passenger automobiles, passenger vans and pickup trucks of 1 ton or less capacity, and motorcycles. All such vehicles must be in operating condition, registered in the resident's name, have current license plates and inspection stickers, and be in regular use (as determined by the Board of Directors) as motor vehicles on the streets and highways of the State of Texas. Vehicles that match this description can be parked on an approved surface (reference Section 6.08) behind a line extending perpendicularly from the Lot's side property lines to the primary perimeter dwelling wall facing the street of each primary residential dwelling. Vehicles parked in such a manner on an approved surface shall be limited to a maximum of two.

Any other vehicle or similar equipment, except those noted above in Section 6.18, shall be placed or stored in such a manner that the vehicle or equipment is either not visible or is screened from view from any street or from ground level view from an adjoining Lot. No vehicle of any size that transports inflammatory or explosive cargo may be placed or stored within the property at any time.

On-Street parking is restricted to deliveries, pick up's, invitees, and guests, and shall be subject to such reasonable rules and regulations as shall be adopted from time to time by the Board of Directors.

No Lot owner shall permit the accumulation of non-operable vehicles, scrap metal, farm equipment, stack yards, or any offensive substances on any part of the Lot that could constitute a nuisance to the surrounding Lot Owners.

This section is not intended to prohibit the parking of construction vehicles on a Lot while said Lot is under the development/construction phase between the hours of dawn and dusk. Nor is it intended to prohibit the parking of public service, emergency, or repair vehicles as required."

IN WITNESS WHEREOF, the Declarant has caused this Second Amendment to be executed by its duly authorized agent as of the date first above written.

By: Calvin Hargrave

Name: CALVIN HARGRAVE

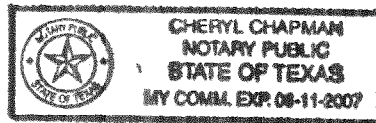
Title: PRESIDENT

STATE OF TEXAS §

§

COUNTY OF COLLIN §

This instrument was acknowledged before me on this 29 day of December, 2003, by CALVIN HARGRAVE, as PRESIDENT of Amberwood Farms Homeowner's Association, Inc., on behalf of said corporation.



[Signature]

Notary Public in and for the State of Texas