

Denton County  
Juli Luke  
County Clerk

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**Instrument Number:** 88116

ERecordings-RP  
AMENDMENT

Recorded On: July 20, 2017 02:13 PM

Number of Pages: 8

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**" Examined and Charged as Follows: "**

Total Recording: \$54.00

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\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

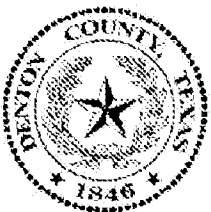
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 88116  
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STATE OF TEXAS  
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke  
County Clerk  
Denton County, TX

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AFTER RECORDING, RETURN TO:  
Hillstone Point Homeowners Association Inc.  
c/o Essex Association Management, L.P.  
1512 Crescent Drive, Suite 112  
Carrollton, Texas 75006

STATE OF TEXAS                   §  
   §  
COUNTY OF DENTON           §

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HILLSTONE POINTE**  
*( Denton County, Texas)*

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HILLSTONE POINTE (this "Amendment") is made and entered into as of July 10, 2017, by CADG Lincoln Park, LLC, a Texas limited liability company ("CADG Declarant") and Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership ("Lennar Declarant;" The CADG Declarant and Lennar Declarant are herein referred to collectively as the "Declarants").

PRELIMINARY STATEMENTS

A. Declarants executed that certain Declaration of Covenants, Conditions and Restrictions for Hillstone Pointe, dated May 25, 2017, recorded on June 7, 2017, as Instrument No. 67480 in the Official Public Records of Denton County, Texas (the "Declaration").

B. In accordance with Section 7.1 of the Declaration, the Declarants may, at any time and from time to time, amend the Declaration without joinder of any other party to as necessary for clarification or to, among other things, correct technical, typographical or scrivener's errors .

C. Exhibit A to the Declaration incorrectly referenced only a portion of the land which was to be made subject to the terms of the Declaration.

D. Declarant desires to amend the Declaration to correct the legal description of the Property to be made subject to the Declaration to reflect the real property described on Exhibit A attached hereto and incorporated herein by reference (the "Land"), and executes and records this Amendment as evidence of such amendment to Exhibit A and the legal description of the Land which is included in the Property subject to the Declaration.

E. The Declarant intends that all of the Land described on Exhibit A attached hereto be considered Property for purposes of this Declaration, and that all of the terms, covenants,

conditions, restrictions and obligations of the Declaration will apply to the Land described on Exhibit A attached hereto, and Declarant desires to amend the Declaration to include such Land described on Exhibit A attached hereto within the Property as if same were originally described and included in the Declaration.

NOW, THEREFORE, Declarant does hereby modifies and amends the Declaration as follows:

1. Definitions. Unless otherwise defined in this Amendment, all capitalized words or terms used herein shall be defined and have the meaning set forth in the Declaration as modified and amended hereby.

2. Land Subject to Declaration. In accordance with the provisions of Section 7.1 of the Declaration, the Declarant does hereby amend the Declaration to provide that the "Land," as original described in the Declaration shall include and mean and refer to all of the Land described on Exhibit A attached hereto, and such Land is part of the Property subject to the Declaration. In this regard, the Declarant hereby adopts, establishes and imposes the covenants, conditions, restrictions, assessments, easements, liens and charges of the Declaration as they apply to Lots and Common Areas developed or to be developed upon the Land, and declares that Land and all portions thereof are and shall be held, transferred, used, assigned, sold, conveyed and occupied subject to all such covenants, conditions, restrictions, assessments, easements, liens and charges as set forth in the Declaration with respect to Land as set forth in this Amendment. Each Lot within the Land shall be subject to the use restrictions and architectural controls as provided in the Declaration which apply to Lots and any residence or other improvement or structure constructed thereon. *Exhibit A* attached to the Declaration is hereby modified and amended and replaced in its entirety with Exhibit A attached hereto effective as of the date of the Declaration, as if same was originally included in the Declaration.

3. No Other Effect. Except as expressly amended by this Amendment, the terms and provisions of the Declaration are not amended, modified or supplemented, and the Declaration, as amended hereby, is hereby supplemented, modified and amended by the Declarant and the Land described on Exhibit A attached hereto is hereby affected by and included in the Property affected by such Declaration as set forth herein.

4. Severability. Invalidation of anyone provision of this Amendment by judgment or court order shall in no way affect any other provision of this Amendment or the remainder of this Amendment which shall remain in full force and effect. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Amendment a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

5. Headings. The headings contained in this Amendment are for reference purposes only and shall not in any way affect the meaning or interpretation of this Amendment.

REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS

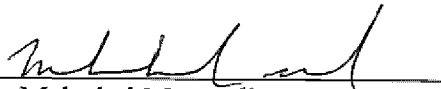
IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CADG DECLARANT:**  
CADG Lincoln Park, LLC,  
a Texas limited liability company

By: CADG Holdings, LLC,  
a Texas limited liability company,  
Its Sole Member

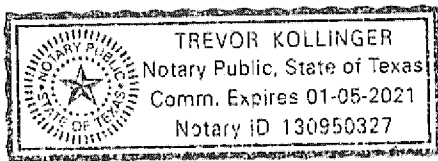
By: MMM Ventures, LLC,  
a Texas limited liability company  
Its Manager

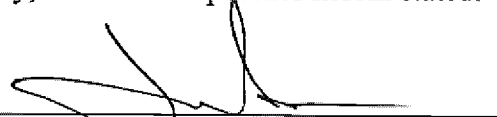
By: 2M Ventures, LLC,  
a Delaware limited liability company  
Its Manager

By:   
Name: Mehrdad Moayedi  
Its: Manager

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on the 19 day of July, 2017, by Mehrdad Moayedi, Manager of 2M Ventures, LLC, as Manager of MMM Ventures, LLC, as Manager of CADG Holdings, LLC, as Sole Member of CADG Lincoln Park, LLC, a Texas limited liability company on behalf of said company, and in the capacities herein stated.



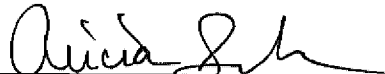
  
Notary Public, State of Texas

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 12<sup>th</sup> day of July, 2017.

**LENNAR DECLARANT:**

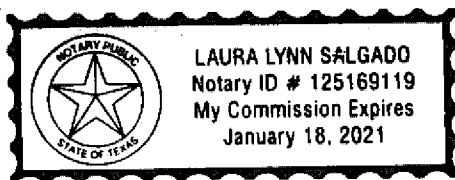
LENNAR HOMES OF TEXAS LAND AND  
CONSTRUCTION, LTD.,  
a Texas limited partnership

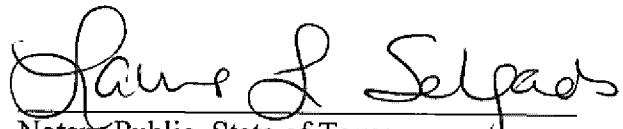
By: Lennar Texas Holding Company,  
a Texas corporation,  
it's General Partner

By:   
Alicia Schwarze, Authorized Agent

STATE OF TEXAS           §  
  §  
COUNTY OF Dallas     §

This instrument was acknowledged before me on the 12<sup>th</sup> day of July, 2017, by Alicia Schwarze, Authorized Agent of Lennar Texas Holding Company, a Texas corporation, as General Partner of Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership, on behalf of said corporation and limited partnership, and in the capacities herein stated.



  
Notary Public, State of Texas

## EXHIBIT A

### LEGAL DESCRIPTION OF THE LAND

LEGAL DESCRIPTION  
HILLSTONE POINTE  
PUBLIC IMPROVEMENT DISTRICT NO. 2  
107.692 ACRES

BEING THAT CERTAIN TRACT OF LAND SITUATED IN THE MARSELLA JONES SURVEY ~ ABSTRACT NUMBER 662, IN DENTON COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO CADG LINCOLN PARK, LLC, RECORDED IN DOCUMENT NUMBER 2015-15945, OF THE REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS (RPRDCT), AND ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO CADG LINCOLN PARK, LLC, RECORDED IN DOCUMENT NO. 2015-16384, RPRDCT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND ON THE EAST RIGHT-OF-WAY LINE OF OAK GROVE ROAD (VARIABLE WIDTH RIGHT-OF-WAY), AND BEING THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO OAK GROVE UNITED METHODIST CHURCH, RECORDED IN INSTRUMENT NUMBER 2007-17505, RPRDCT, SAID IRON ROD ALSO BEING THE MOST WESTERLY NORTHWEST CORNER OF SAID CADG LINCOLN PARK, LLC TRACT, RECORDED IN DOCUMENT NUMBER 2015-15945, RPRDCT:

THENCE SOUTH 88°42'52" EAST, WITH THE SOUTH LINE OF SAID OAK GROVE UNITED METHODIST CHURCH TRACT, A DISTANCE OF 751.41 FEET TO A 1/2-INCH IRON ROD WITH CAP MARKED "#4561" FOUND FOR CORNER AT THE SOUTHEAST CORNER OF SAID OAK GROVE UNITED METHODIST CHURCH TRACT:

THENCE NORTH 02°03'02" EAST, WITH THE EAST LINE OF SAID OAK GROVE UNITED METHODIST CHURCH TRACT, A DISTANCE OF 578.22 FEET TO A 1/2-INCH IRON ROD WITH CAP MARKED "#4561" FOUND FOR CORNER AT THE NORTHEAST CORNER OF SAID OAK GROVE UNITED METHODIST CHURCH TRACT, SAID IRON ROD ALSO BEING LOCATED ON THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO STEVE BARTEL AND NANCY BARTEL, RECORDED IN INSTRUMENT NUMBER 95-012685, RPRDCT:

THENCE SOUTH 88°11'56" EAST, WITH SAID SOUTH LINE, A DISTANCE OF 141.73 FEET TO A STEEL FENCE CORNER POST FOUND FOR CORNER, SAID POST BEING THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO MIKE AKINS AND MELVA AKINS, RECORDED IN VOLUME 5272, PAGE 3657, RPRDCT:

THENCE SOUTH 88°15'22" EAST, WITH THE SOUTH LINE OF SAID AKINS TRACT, A DISTANCE OF 352.56 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND FOR CORNER, SAID IRON ROD BEING LOCATED AT THE SOUTHEAST CORNER OF SAID AKINS TRACT, AND THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO MIKE AKINS AND MELVA AKINS, RECORDED IN VOLUME 1852, PAGE 753, RPRDCT:

THENCE SOUTH 88°21'24" EAST, WITH THE SOUTH LINE OF SAID AKINS TRACT RECORDED IN VOLUME 1852, PAGE 753, RPRDCT, A DISTANCE OF 297.78 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER, SAID IRON ROD BEING THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO CURTIS WAYNE WATSON, RECORDED IN VOLUME 5351, PAGE 3392, RPRDCT:

THENCE SOUTH 88°48'22" EAST, WITH THE SOUTH LINE OF SAID CURTIS WAYNE WATSON TRACT, A DISTANCE OF 393.90 FEET TO A FENCE CORNER POST FOUND FOR CORNER, SAID POST BEING THE MOST NORTHERLY NORTHEAST CORNER OF SAID CADG LINCOLN PARK, LLC TRACT, RECORDED IN DOCUMENT NUMBER 2015-15945, RPRDCT, AND THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID CURTIS WAYNE WATSON TRACT, ALSO BEING LOCATED ON THE WEST LINE OF

THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO JOHNNA RISHA DIVINEY, RECORDED IN INSTRUMENT NUMBER 2007-54985, RPRDCT:

**THENCE** SOUTH 00°31'16" WEST, WITH THE WEST LINE OF SAID DIVINEY TRACT, A DISTANCE OF 438.68 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER, SAID IRON ROD BEING LOCATED AT THE SOUTHWEST CORNER OF SAID DIVINEY TRACT, AND BEING LOCATED AT AN INTERIOR "ELL" CORNER OF SAID CADG LINCOLN PARK, LLC TRACT, RECORDED IN DOCUMENT NUMBER 2015-15945, RPRDCT;

**THENCE** SOUTH 87°54'37" EAST, WITH THE SOUTH LINE OF SAID DIVINEY TRACT, A DISTANCE OF 689.49 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER, SAID IRON ROD BEING LOCATED AT THE SOUTHERNMOST SOUTHEAST CORNER OF SAID DIVINEY TRACT;

**THENCE** SOUTH 87°53'52" EAST, WITH THE SOUTH LINE OF THE REMAINDER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO JACK J. GOODE AND FAYE M. GOODE, RECORDED IN INSTRUMENT NUMBER 93-0032586, RPRDCT, A DISTANCE OF 739.77 FEET TO A 5/8-INCH IRON ROD FOUND FOR CORNER, SAID IRON ROD BEING LOCATED ON THE WEST RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD NUMBER 2931 (VARIABLE WIDTH RIGHT-OF-WAY), SAID IRON ROD ALSO BEING THE SOUTHEAST CORNER OF SAID GOODE TRACT, AND BEING THE EASTERNMOST NORTHEAST CORNER OF SAID CADG LINCOLN PARK, LLC TRACT RECORDED IN DOCUMENT NUMBER 2015-15945, RPRDCT;

**THENCE** SOUTH 00°54'57" WEST, WITH THE WEST RIGHT-OF-WAY LINE OF SAID FARM TO MARKET ROAD NUMBER 2931, A DISTANCE OF 726.01 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND FOR CORNER, SAID IRON ROD BEING THE SOUTHEAST CORNER OF SAID CADG LINCOLN PARK, LLC, RECORDED IN DOCUMENT NUMBER 2015-15945, RPRDCT, AND BEING THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO 2931 COMMERCIAL, L.P., RECORDED IN INSTRUMENT NUMBER 2008-132752, RPRDCT,

**THENCE** NORTH 88°30'00" WEST, LEAVING THE WEST RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD NUMBER 2931, AND WITH THE COMMON SOUTH LINE OF SAID CADG LINCOLN PARK, LLC, RECORDED IN DOCUMENT NUMBER 2015-15945, RPRDCT, AND THE NORTH LINE OF SAID 2931 COMMERCIAL, L.P. TRACT, A DISTANCE OF 1456.18 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER, SAID IRON ROD BEING THE NORTHWEST CORNER OF SAID 2931 COMMERCIAL, L.P. TRACT, AND THE NORTHEAST CORNER OF SAID CADG LINCOLN PARK, LLC, RECORDED IN DOCUMENT NUMBER 2015-16384, RPRDCT;

**THENCE** SOUTH 01°57'24" WEST, WITH THE COMMON EAST LINE OF SAID CADG LINCOLN PARK, LLC TRACT, RECORDED IN DOCUMENT NUMBER 2015-16384, RPRDCT, AND THE WEST LINE OF SAID 2931 COMMERCIAL, L.P. TRACT, A DISTANCE OF 1512.09 FEET TO A 5/8-INCH IRON ROD FOUND FOR CORNER, SAID IRON ROD BEING LOCATED ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 380 (VARIABLE WIDTH RIGHT-OF-WAY), AND BEING THE SOUTHEAST CORNER OF SAID CADG LINCOLN PARK, LLC TRACT, RECORDED IN DOCUMENT NUMBER 2015-16384, RPRDCT;

**THENCE** NORTH 79°32'43" WEST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NUMBER 380, A DISTANCE OF 826.53 FEET TO A P/K NAIL WITH WASHER FOUND FOR CORNER;

**THENCE** NORTH 82°30'43" WEST, CONTINUING WITH SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 18.18 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND FOR CORNER AT THE SOUTHERNMOST SOUTHWEST CORNER OF SAID CADG LINCOLN PARK, LLC TRACT, RECORDED IN DOCUMENT NUMBER 2015-16384, RPRDCT, SAME BEING THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO WESTERN RIM INVESTORS 2015-1, L.P., RECORDED IN DOCUMENT NUMBER 2015-17019, RPRDCT;

**THENCE** NORTH 02°01'37" EAST, LEAVING SAID NORTH RIGHT-OF-WAY LINE AND WITH THE EAST LINE OF SAID WESTERN RIM INVESTORS 2015-1, L.P. TRACT, A DISTANCE OF 864.94 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND FOR CORNER LOCATED AT THE NORTHEAST CORNER OF SAID WESTERN RIM INVESTORS 2015-1, L.P. TRACT;

**THENCE** NORTH 88°29'37" WEST, WITH THE NORTH LINE OF SAID WESTERN RIM INVESTORS 2015-1, L.P. TRACT, A DISTANCE OF 1103.00 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND FOR CORNER, SAID IRON ROD BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SAID OAK GROVE ROAD, AND BEING THE WESTERNMOST SOUTHWEST CORNER OF SAID CADG LINCOLN PARK, LLC TRACT, RECORDED IN DOCUMENT NUMBER 2015-16384, RPRDCT, AND BEING THE NORTHWEST CORNER OF SAID WESTERN RIM INVESTORS 2015-1, L.P. TRACT;

**THENCE** NORTH 02°01'37" EAST, WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 516.71 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID CADG LINCOLN PARK, LP TRACT, RECORDED IN DOCUMENT NUMBER 2015-16384, RPRDCT, SAID IRON ROD ALSO BEING THE SOUTHWEST CORNER OF SAID CADG LINCOLN PARK, LP TRACT, RECORDED IN DOCUMENT NUMBER 2015-15945, RPRDCT;

**THENCE** NORTH 02°04'46" EAST, CONTINUING WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 599.15 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 107.692 ACRES OF LAND, MORE OR LESS.

**NOTES:**

THE BEARINGS SHOWN AND RECITED HEREON ARE NAD83 (CORS 96, EPOCH 2002) REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202) USING VRS. ALL DISTANCES ARE SURFACE DISTANCES WITH A SURFACE TO GRID SCALE FACTOR OF 0.999849392677

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.