

**SUPPLEMENTAL DECLARATION OF ANNEXATION
FOR TWIN FALLS – SECTIONS 2 AND 3**

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF HARRIS §

THIS SUPPLEMENTAL DECLARATION OF ANNEXATION FOR TWIN FALLS – SECTIONS 2 AND 3 is made effective as of October 30, 2013, by MERITAGE HOMES OF TEXAS, LLC, an Arizona limited liability company (“Meritage”).

WITNESSETH:

WHEREAS, TWIN FALLS, L.P., a Texas limited partnership, established the Declaration of Covenants, Conditions and Restrictions for Twin Falls (“Declaration”), recorded as Document No. 300855014 on June 7, 2006, in the Official Public Records of Harris County, Texas;

WHEREAS, the Declaration described the “Subdivision” as an approximately 118.351 acre parcel of property that was described on Exhibit A attached to the Declaration and the term “Properties” as used in the Declaration included the “Subdivision” and other property brought within the jurisdiction of the Association;

WHEREAS, by the Assignment of Declarant Rights recorded as Document No. 20120534051 on November 16, 2012, in the Official Public Records of Harris County, Texas, Twin Falls, L.P. assigned to Meritage all of its right, title and interest as the “Declarant” under the Declaration, and Meritage has succeeded to all of the rights of the “Declarant” under the Declaration;

WHEREAS, Meritage is the owner of (a) the platted lots and reserves and (b) the approximately 6.7112 acre parcel of property, all of which are described on Exhibit A attached hereto and made a part hereof for all purposes (the “Annexation Property”). The platted lots and reserves described on Exhibit A attached hereto are within the boundaries of the original approximately 118.351 acre parcel of property that was described on Exhibit A attached to the Declaration;

WHEREAS, pursuant to Section 8.1 of the Declaration, the Declarant has the unilateral right to annex additional property to the jurisdiction of Twin Falls Community Association, Inc. (the “Association”) by filing of record a Supplemental Declaration, and make additional property subject to the Declaration and the covenants, restrictions, conditions, easements, charges, and liens set forth in the Declaration; and

WHEREAS, by executed and filing of record this Supplemental Declaration, Meritage desires to confirm that the Annexation Property is added to the scheme of the Declaration as provided in Section 8.1 of the Declaration.

NOW, THEREFORE, Declarant declares that the Annexation Property shall be held, transferred, sold, conveyed, and occupied subject to the covenants, conditions, restrictions, easements, charges, and liens set forth in the Declaration, which shall run with the Annexation Property and shall be binding upon all parties having any right, title, or interest in or to the Annexation Property, or any part thereof, and their heirs, successors, representatives, and assigns. The covenants, conditions, restrictions, easements,

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charges, and liens set forth in the Declaration are covenants running with the land at law as well as in equity.

Each of the reserves identified on Exhibit A are a "Common Area" under the Declaration and each of the lots identified on Exhibit A is a "Lot" under the Declaration.

"Properties" as used in the Declaration shall hereinafter mean and refer to the real property (including improvements) described in the Declaration and on Exhibit A to this Supplemental Declaration and any additions thereto, as are subjected to any additional Supplemental Declaration under the provisions of Section 8.1 of the Declaration.

Article XI of the Declaration implies that the annexation of additional properties requires a prior approval of the FHA or the VA. At the time the Declaration was written, there was not a requirement that the Declaration be approved by the FHA or the VA, and no approval was initially obtained. The requirements of Article XI are a scrivener's error, as approval from the FHA and/or VA cannot be obtained. Declarant understands that no process exists for, and Declarant has no plan to obtain, FHA or VA approval of the Declaration or this Supplemental Declaration after the date of this Amendment.

EXECUTED effective as of the date set forth above.

DECLARANT:

MERITAGE HOMES OF TEXAS, LLC,
an Arizona limited liability company

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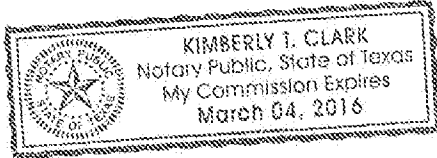
By: *[Signature]*
Printed Name: Donald W. Jordan
Title: Sr. Vice President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, a notary public in and for the county and state aforesaid, on this ___ day of October, 2013, came and appeared Donald W. Jordan, as the Sr. Vice President of MERITAGE HOMES OF TEXAS, LLC, an Arizona limited liability company, and declared that this instrument was executed in that capacity for the purposes herein stated.

[Signature]
Notary Public in and for the State of Texas

AFTER RECORDING, RETURN TO:
Kellah Montez Lewis
2401 W. Santa Barbara Pkwy
Houston, TX 77043



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EXHIBIT A

The Annexation Property

Plat of Twin Falls, Sec. 2, recorded on August 15, 2013 at Film Code No. 656241 of the Map Records of Harris County, Texas:

Reserves: A, B, and C.

Lots: 1-11, Block 1; 1-13, Block 2; and 1-32, Block 3.

Plat of Twin Falls, Sec. 3, recorded on August 15, 2013 at Film Code No. 656243 of the Map Records of Harris County, Texas:

Reserves: A, B, C, D, E and F.

Lots: 1-8, Block 1; 1-5, Block 2; 1-12, Block 3; 1-29; Block 4.

The approximately 6.7112 acres described on Exhibit A-1 attached hereto.

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EXHIBIT A-1

EXHIBIT "A" TO DEED

PROPERTY

A tract of land containing 6.7112 acres, situated in the J. Zimmerman Survey, Abstract 946, Harris County, Texas, being out of that certain 17.2525 acre tract conveyed to Klein Independent School District, recorded in Harris County Clerk's File (HCCF) No. U314302, and being more particularly described by metes and bounds as follows with all bearings being referenced to the Texas Coordinate System, South Central Zone, the coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Coordinates (NAD 83) and may be brought to surface by applying the following Combined Scale Factor of 0.99993722533:

1EE

COMMENCING (X= 3,068,154.88, Y= 13,942,192.90) at an axle found for the southwesterly corner of said J. Zimmerman Survey, from same point a fence corner was found bearing South 81° 45' 13" East, 0.94 feet;

THENCE North 35° 24' 09" West, along the common line between said Zimmerman Survey and the E. Harbour Survey, Abstract 367, a distance of 97.20 feet to a 5/8-inch iron rod (with cap stamped "LUPHER") set for the southwesterly corner of the tract herein described and the POINT OF BEGINNING;

THENCE North 35° 24' 09" West, continuing along the common line between said Zimmerman Survey and the E. Harbour Survey, Abstract 367, a distance of 485.30 feet to a 5/8-inch iron rod found for the southwesterly corner of that certain 10 acre tract conveyed to M.C. Klein and Victor Theiss and recorded in Volume 4208, Page 111 Harris County Deed Records (H.C.D.R.), from same point a fence corner was found bearing North 88° 47' 24" West, 0.76 feet;

THENCE North 54° 42' 12" East, departing said common survey line, and along the southerly line of said M.C. Klein/Victor Theiss 10 acre tract, at 419.77 feet pass a 5/8-inch iron rod on-line and continuing for a total distance of 599.77 feet to a 3/4-inch iron rod (with cap stamped "AES") found for the northeasterly corner of the tract herein described, from same point a fence corner was found bearing North 18° 03' 59" East, 1.41 feet;

THENCE South 35° 25' 26" East, a distance of 489.40 feet to a 5/8-inch iron rod (with cap stamped "LUPHER") set for the southeasterly corner of the tract herein described;

THENCE South 55° 05' 41" West, parallel with, and 97.20 feet perpendicular to, the common line between said J. Zimmerman Survey and said E. Harbour Survey, a distance of 599.97 feet to the POINT OF BEGINNING, and containing 6.7112 acres (292,339 square feet) of land, more or less.

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Pages 5
10/30/2013 09:56:05 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 28.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS