

NOTICE OF ADDITIONAL LAND

DOC# 9627558

(Addition of Cypress Creek Section 3)

This Notice of Additional Land (the "Notice of Additional Land") is made and executed by CYPRESS CREEK VENTURE, a Texas joint venture partnership ("Cypress Creek Venture") and is as follows:

RECITALS

Cypress Creek Venture is the Declarant under that certain Cypress Creek Section Two Declaration of Covenants, Conditions, and Restrictions, recorded in Volume 2432, Pages 0333 through 0351 of the Real Property Records of Williamson County, Texas (the "Declaration"). Pursuant to the Declaration, Cypress Creek Venture served notice that portions of the Property, as that term is used and defined in the Declaration, shall from time to time, upon the filing of a Notice of Additional Land in the Real Property Records of Williamson County, Texas, be made a part of the Property and subjected to the terms, covenants, conditions, restrictions, reservations, servitudes, liens and charges of the Declaration. In accordance with the conditions set out in the Declaration, Cypress Creek Venture desires to subject the following additional land to the Declaration:

Cypress Creek, Section 3, an addition in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet M, Slides 369-371, Plat Records of Williamson County, Texas (the "Additional Land").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Cypress Creek Venture does hereby subject the Additional Land to the Declaration. In accordance with the authority set out in the Declaration, the Additional Land is hereby included within and made a part of the Property, and is hereby subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Declaration. In accordance with the authority set out in the Declaration, the subdivision plat of the Additional Land is hereby included within and made a part of the term "Plat".

This Notice of Additional Land is issued pursuant to the authority set out in and accordance with the requirements of Article IX of the Declaration. Any capitalized terms used and not otherwise specifically defined in this document shall have the meaning set forth in the Declaration. In the event of a conflict between the terms of this Notice of Additional Land and the Declaration, this Notice of Additional Land is intended and shall be construed as controlling.

EXECUTED to be effective as of the 24th day of May, 1996.

CYPRESS CREEK VENTURE,  
a Texas joint venture partnership

By: [Signature]  
Rogers D. Wilson, Partner

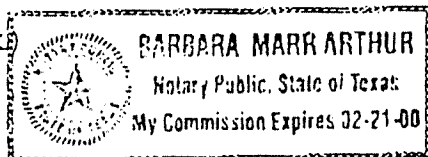
By: R.L. Madden & Associates, Inc.,  
a Texas corporation, Partner

By: [Signature]  
Rodney L. Madden, President

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 24<sup>th</sup> day of May, 1996 by Roger D. Wilson, Partner of Cypress Creek Venture, a Texas joint venture partnership, on behalf of said partnership.

(SEAL)

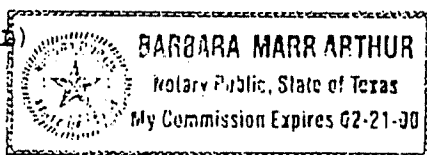


*Barbara Marr Arthur*  
Notary Public, State of Texas

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 24<sup>th</sup> day of May, 1996 by Rodney L. Madden, President of R. L. Madden & Associates, Inc., a Texas corporation, Partner of Cypress Creek Venture, a Texas joint venture partnership, on behalf of said partnership.

(SEAL)



*Barbara Marr Arthur*  
Notary Public, State of Texas

CONSENT OF MORTGAGEE

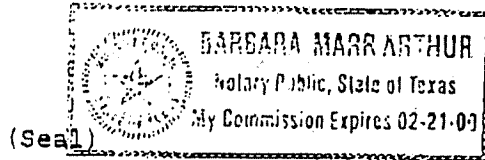
John A. McPhaul, the owner and holder of indebtedness secured by Amended and Restated Deed of Trust (Security Agreement and Financing Statement) covering the Additional Land of record in Volume 12425, Page 1426, Official Records of Williamson County, Texas, does hereby join in the execution of this Notice of Additional Land to Cypress Section 2, Declaration of Covenants, Conditions and Restrictions for the purposes of evidencing his consent hereto and subordinating all of his liens to the Declaration of Covenants, Conditions and Restrictions.

EXECUTED this 24<sup>th</sup> day of May, 1996.

*John A. McPhaul*  
John A. McPhaul

THE STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the 24<sup>th</sup> day of May, 1996 by John A. McPhaul.



*Barbara Marr Arthur*  
Notary Public Signature

AFTER RECORDING, RETURN TO:

① Gregg C. Krumme  
Strasburger & Price, L.L.P.  
2600 One American Center  
600 Congress Avenue  
Austin, Texas 78701-3288

THE STATE OF TEXAS  
COUNTY OF WILLIAMSON

This is to certify that this document was FILED and  
RECORDED in the Official Public Records of  
Williamson County, Texas on the date and time  
stamped thereon.



*Elaine Bizzell*  
COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS

Doc# 9627558  
# Pages: 3  
Date : 05-29-1996  
Time : 01:37:54 P.M.  
Filed & Recorded in  
Official Records  
of WILLIAMSON County, TX.  
ELAINE BIZZELL  
COUNTY CLERK  
Rec. \$ 13.00

COPY

NOTICE OF ADDITIONAL LAND

(Addition of Cypress Creek Section 4)

This Notice of Additional Land (the "Notice of Additional Land") is made and executed by CYPRESS CREEK VENTURE, a Texas joint venture partnership ("Cypress Creek Venture") and is as follows :

RECITALS

Cypress Creek Venture is the Declarant under that certain Cypress Creek Section Two Declaration of Covenants, Conditions, and Restrictions, recorded in Volume 2432, Pages 0333 through 0351 of the Real Property Records of Williamson County, Texas (the "Declaration"). Pursuant to the Declaration, Cypress Creek Venture served notice that portions of the Property, as that term is used and defined in the Declaration, shall from time to time, upon the filing of a Notice of Additional Land in the Real Property Records of Williamson County, Texas, be made a part of the property and subjected to the terms, covenants, conditions and charges of the Declaration. In accordance with the conditions set out in the Declaration, Cypress Creek Venture desires to subject the following additional land to the Declaration :

Cypress Creek, Section 4, an addition in Williamson County, Texas according to the map or plat thereof recorded in Cabinet N, Slides 395-397, Plat Records of Williamson County, Texas, save and except Lots 25 and 26, Block A (the "Additional Land" ).

NOW, THEREFORE, for good and valuable consideration, the receipt sufficiency of which is hereby acknowledged, Cypress Creek Venture does hereby subject the Additional Land to the Declaration. In accordance with the authority set out in the Declaration, the Additional Land is hereby included within and made a part of the Property, and is hereby subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Declaration. In accordance with the authority set out in the Declaration, the subdivision plat of the Additional Land is hereby included within and made a part of the term "Plat".

This notice of Additional Land is issued pursuant to the authority set out in and accordance with the requirements of Article IX of the Declaration. Any capitalized terms used and not otherwise specifically defined in this document shall have the meaning set forth in the Declaration. In the event of a conflict between the terms of this Notice of Additional Land and the Declaration, this Notice of Additional Land is intended and shall be construed as controlling.

EXECUTED to be effective as of the 21 day of August, 1997.

CYPRESS CREEK VENTURE,  
a Texas joint venture partnership

By: [Signature]  
Rogers D. Wilson, Partner

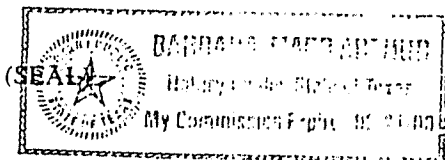
By: R.L. Madden & Associates, Inc.,  
a Texas corporation, Partner

By: [Signature]  
Rodney L. Madden, President

THE STATE OF TEXAS }

COUNTY OF TRAVIS }

This instrument was acknowledged before me on the 21<sup>st</sup> day of August, 1997 by Roger D. Wilson, partner of Cypress Creek Venture, a Texas joint venture partnership, on behalf of said partnership.

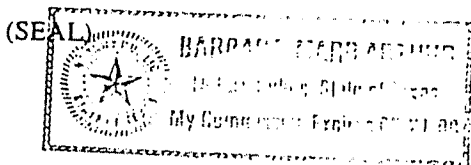


Barbara Marr Arthur  
Notary Public, State of Texas

THE STATE OF TEXAS }

COUNTY OF TRAVIS }

This instrument was acknowledged before me on the 21<sup>st</sup> day of August, 1997 by Rodney L. Madden, President of R. L. Madden & Associates, Inc., a Texas corporation, Partner of Cypress Creek Venture, a Texas joint venture partnership, on behalf of said partnership.



Barbara Marr Arthur  
Notary Public, State of Texas

CONSENT OF MORTGAGEE

John A. McPhaul, the owner and holder of indebtedness secured by Amended and Restated Deed of Trust (Security Agreement and Financing Statement) covering the Additional Land of record in Volumn 12425, Page 1426, Official Records of Williamson County, Texas, does hereby join in the execution of this Notice of Land to Cypress Section 2, Declaration of Covenants, Conditions and Restrictions for the purposes of evidencing his consent hereto and subordinating all of his liens to the Declaration of Covenants, Conditions and Restrictions.

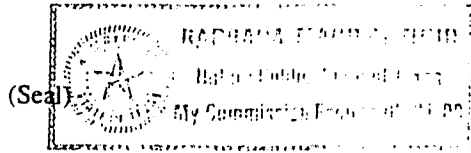
EXECUTED this 22<sup>nd</sup> day of August, 1997

John A. McPhaul  
John A. McPhaul

THE STATE OF TEXAS }

COUNTY OF TRAVIS }

This instrument was acknowledged before me on the 22<sup>nd</sup> day of August, 1997  
by John A. McPhaul.



Barbara Madden  
Notary Public Signature

AFTER RECORDING, RETURN TO:

Jason A. Hart  
R.L. Madden & Associates, Inc.  
9130 Jollyville Road  
Suite 150  
Austin, Texas 78759