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CREEKS AT AUGUSTA PINES HOMEOWNERS ASSOCIATION, INC.

REPLACEMENT SUPPLEMENTARY DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
AUGUSTA CREEK SECTION THREE (3) THE GARDENS 1EE

STATE OF TEXAS §
COUNTY OF HARRIS § KNOW ALL MEN BY THESE PRESENTS THAT
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THIS REPLACEMENT SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AUGUSTA CREEK SECTION THREE (3) HEREBY SUPERSEDES AND REPLACES, IN ITS ENTIRETY, THAT ONE CERTAIN SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AUGUSTA CREEK SECTION THREE (3) THAT WAS ORIGINALLY RECORDED AS PART OF THE DECLARATION RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. 20060021221 AND THEN RECORDED AS A SEPARATE DOCUMENT UNDER HARRIS COUNTY CLERK'S FILE NO. 20060072166 AND ANY AMENDMENTS THERETO.

WHEREAS, under date of September 5, 2006, SHADOW CREEK ESTATES, LTD, ("Declarant"), as the owner of certain land created that certain subdivision known as the CREEKS AT AUGUSTA PINES, by the execution and recordation of that certain Declaration of Covenants, Conditions and Restrictions for the Creeks at Augusta Pines recorded under Clerk's File No. 20060021221 of the Real Property Records of Harris County, as amended by instrument recorded under Harris County Clerk's File No. 20110143460 (the "Declaration"); Texas; and

WHEREAS, by the terms of said Declaration, land subject to the Declaration is placed within the jurisdiction of the Creeks of Augusta Pines Homeowners Association, Inc. (the "Association"); and

WHEREAS, by the terms of said Declaration, the Declarant may establish Rules that among other matters, will govern as design/architectural guidelines, and which may, as part of such design/architectural guidelines, establish a list of approved Builders (custom or production Builders) that may be revised from time to time as circumstances warrant and which may be different for different neighborhoods; and

WHEREAS, the Declaration further calls out that Declarant may establish different neighborhoods within the Community of the Creeks at Augusta Pines, which neighborhoods may have different marketing names and may also have different guidelines for the Builders building Residences therein, which would be set forth by the execution and recordation of a Supplemental Declaration for each such neighborhood; and

WHEREAS, Declarant has established the neighborhood of Augusta Creek Section Three (3), being approximately 15.029 acres in Harris County, Texas; the plat for which was recorded under Film Code Z447618 of the Map Records of Harris County, containing 65 lots, 2 blocks and 3 reserves; and

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WHEREAS, this is a Replacement Supplemental Declaration for Augusta Creek Section Three (3) and any and all Builders and Owners of Lots within such Augusta Creek Section Three (3) must comply with the terms hereof;

NOW, THEREFORE, pursuant to the power reserved in the Declaration, Declarant does hereby declare that the following must be complied with for any and all improvements to any Lots within Augusta Creek Section Three (3):

1. Square Footage Requirements:
 - 1 story minimum: 2200 SF
 - 2 story minimum : 2400 SF
2. Height of Residence:
 - Three (3) story maximum height restrictions on all houses.
3. Building Materials:
 - Exterior Walls: Brick, Stone, Stucco or combination
 - Fireplaces: Brick, Stone, Stucco
 - Roofing: Composition shingles (min. 30yr warranty)
 - Driveways: Concrete or greater
4. Setbacks:
 - Front: 20' per plat
 - Rear: 10'
 - Sides: zero and 7'
5. Fencing:
 - Yard Fencing – 6' Grade A cedar with cap rail and rot board, except front facing fencing between homes, 6' wrought iron
6. Landscaping:
 - Submit to ARC for approval. Minimum sprinkler, sod all front yards, plant 2 trees. (Note: all trees within 10' of the footprint of the house and/or house and pool are to be removed; all trees outside of the 10' footprint of the house and/or house and pool must remain and be protected during construction unless such trees are dead, damaged beyond repair or an obstruction for the approved placement of the driveway or sidewalk.)
7. Exterior Lighting:
 - None required by submit to ARC before any are installed.
8. Architectural Review Committee ("ARC"):
 - Alan Kent, Larry Williams, Allison Kent
9. Approved Builders:
 - Frontier Custom Builders

The Requirements set forth herein do not replace or amend the architectural approval process set forth in the Declaration; any improvement constructed or modified must obtain the architectural approval as set forth therein.

Nothing herein contained is intended or shall be construed to amend the Declaration other than to specify terms and provisions of the Declaration which are applicable to specific lots and land within Augusta Creeks Section Three (3).

This Replacement Supplementary Declaration may be amended from time to time in the same fashion and manner as the Declaration.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 22nd day of October, 2012.

Declarant

SHADOW CREEK ESTATES, LTD, a Texas limited partnership,

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By: Shadow Creek Estates GP, LLC
general partner

By: [Signature]
Name: JAMES ALAN KENT
Title: PRESIDENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 22nd day of October, 2012 by JAMES ALAN KENT, PRESIDENT, Shadow Creek Estates, Ltd which is the general partner of Shadow Creek Estates, Ltd, a Texas limited partnership.

[Signature]
Notary Public, State of Texas



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e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 24.00

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