

FILED
TARRANT COUNTY

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR**

WHITTIER HEIGHTS SUZANNE HENDERSON
COUNTY CLERK

STATE OF TEXAS

BY: _____
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TARRANT

WHEREAS, Broadland Limited Partnership, Texas limited partnership (the "Declarant"), then being the owner of Lots 1 through 45 of Block A, Lots 1 through 11 of Block B, Lots 1 through 16 of Block C, Lots 1 through 21 of Block D, and Open Space lots 46X through 50X of Block A, 12X and 13X of Block B, 17X of Block C, and 22X of Block D in Whittier Heights, an Addition to the City of Colleyville, Texas (the "City"), according to the plat thereof (the "Plat") recorded in Cabinet A, Slide #'s 8667 and 8668 of the Records of Tarrant County (the "County"), Texas (the "Addition"), filed that certain Declaration of Covenants, Conditions and Restrictions for Whittier Heights executed August 25, 2003 (the "Declaration"), recorded in D203361306 of the Deed Records of Tarrant County, Texas; and

WHEREAS, in accordance with Section 5.15 of the Declaration, the Declarant has not sold all the lots in the Addition, and the Declarant wishes to amend the Declaration; and

WHEREAS, the Declaration was inadvertently recorded without an Exhibit A thereto;

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions set forth therein, the Declarant hereby amends the Declaration in the following respects only:

Exhibit A hereto shall be the Exhibit A of the Declaration.

Except as specifically set forth herein above, the Declaration is unchanged and shall remain in full force and effect and shall govern the Addition.

Executed this 7th day of October, 2003.

DECLARANT:

BROADLAND LIMITED PARTNERSHIP
BY: The David Bagwell Company, its general partner

BY: [Signature]
David S. Bagwell, President

UNOFFICIAL

For Exhibit
See Exhibit File

Aperture Card # 1195

Instrument # DJO 3382151

UNOFFICIAL

UNOFFICIAL

For Exhibit
Serial Exhibit File

Aperture Card # 1196

Instrument # D203382451

UNOFFICIAL

The undersigned, being a lienholder of the property affected by the foregoing Declaration, joins in the execution hereof for the purpose of consenting to the covenants, conditions and restrictions therein contained and of subordinating said lien to said covenants, conditions and restrictions.

LIENHOLDER
TexasBank

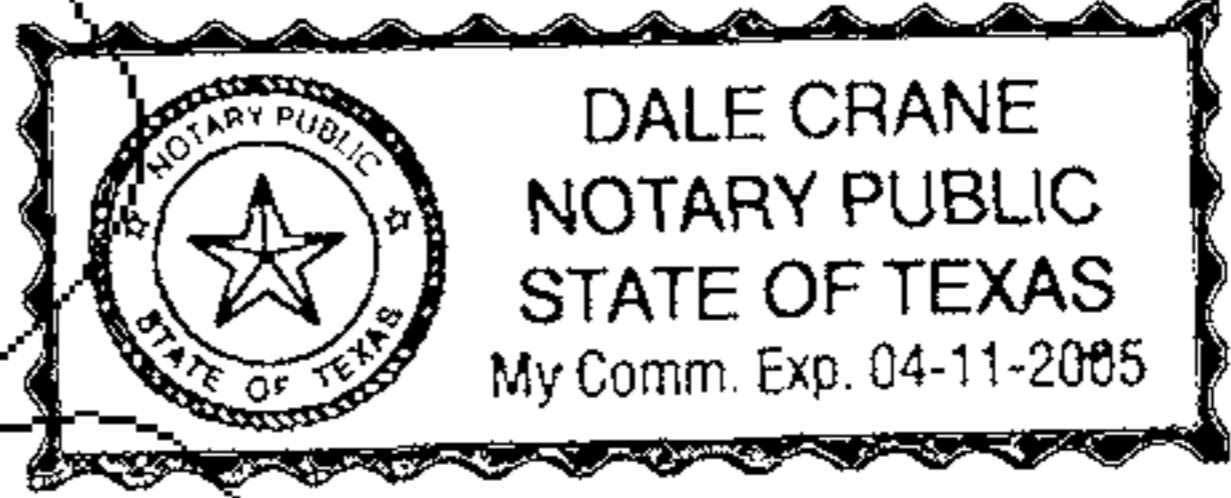
By: [Signature]
Print Name: GAYLAND E. LAUSHE
Title: SENIOR VICE PRESIDENT

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This instrument was acknowledged before me this 7th day of October, 2003, by David S. Bagwell, president of The David Bagwell Company, a Texas corporation, on behalf of said corporation in its capacity as general partner of Broadland Limited Partnership, a Texas limited partnership, on behalf of said partnership.

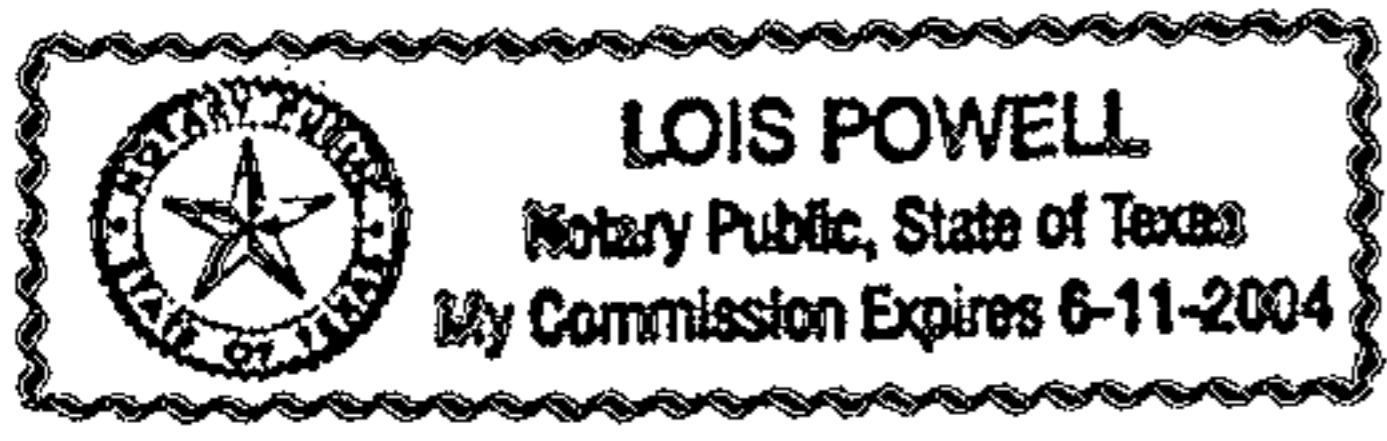
[Signature]
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §



This instrument was acknowledged before me this 10th day of October, 2003, by Gayland Laushe, Sr. V.P. of TexasBank on behalf of said lienholder of the property affected by the foregoing Declaration.

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



D203382151
BROADLAND LIMITED PARTNERSHIP
8222 DOUGLAS AVE STE 605
DALLAS TX 75225

-W A R N I N G-T H I S I S P A R T O F T H E O F F I C I A L R E C O R D -- D O N O T D E S T R O Y

I N D E X E D -- T A R R A N T C O U N T Y T E X A S
S U Z A N N E H E N D E R S O N -- C O U N T Y C L E R K
O F F I C I A L R E C E I P T

T O : T H E O X F O R D C O R P

RECEIPT NO	REGISTER	RECD-BY	PRINTED DATE	TIME
204017039	DR93	CAP	10/10/2003	14:27

	INSTRUMENT	FEECD	INDEXED	TIME	RECVD
1	D203382151	WD	20031010	14:27	CK 2039

T O T A L : D O C U M E N T S : 01 F E E S : 32.00

B Y: _____

ANY PROVISION WHICH RESTRICTS THE SALE RENTAL OR USE
OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE
IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.