

**THIRD AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
WHITTIER HEIGHTS**

FILED
TARRANT COUNTY TEXAS
07 APR 23 PM 4:27
SUZANNE J. ANDERSON
COUNTY CLERK

STATE OF TEXAS §
COUNTY OF TARRANT §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Broadland Limited Partnership, Texas limited partnership (the "Declarant"), filed that certain Declaration of Covenants, Conditions and Restrictions for Whittier Heights executed August 25, 2003 (as heretofore amended, the "Declaration"), recorded in Volume 17239, Page 0306 001 of the Deed Records of Tarrant County, Texas; subsequently amended by that certain Amendment dated October 7, 2003, recorded in Volume 17295, Page 0041 001 of the Deed Records of Tarrant County, Texas, and subsequently amended by that certain Second Amendment dated November 9, 2006, recorded as Instrument D206366537 in the Deed Records of Tarrant County, Texas; and subsequently corrected by instrument recorded January 29, 2007, as Instrument D207031983; and

WHEREAS, Section 5.15 of the Declaration as amended provides that until the sale by Declarant of the total number of lots in the Addition to entities unrelated to Declarant, Declarant may amend the Declaration in whole or in part; and

WHEREAS, As of the date hereof, Declarant has not sold the total number of lots in the Addition to entities unrelated to Declarant; and

WHEREAS, Declarant desires to amend the Declaration;

NOW, THEREFORE, Declarant hereby amends Section 2.4 of the Declaration by adding the following language to the end of said Section 2.4:

"The Committee is authorized to require that payment by lot owners of a review fee (the "Committee Review Fee") be made to the Committee or its consultants, who may be members of the Committee, which payment shall accompany each set of plans and specifications submitted to the Committee for review. The amounts of such review fees shall be reasonable and shall be according to a schedule for same promulgated by the Committee as a part of the standards described in Section 2.5 hereinbelow."

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

Executed this 20th day of April 2007.

DECLARANT:

BROADLAND LIMITED PARTNERSHIP

By: The David Bagwell Company, its general partner

By: *David S. Bagwell*
David S. Bagwell, President

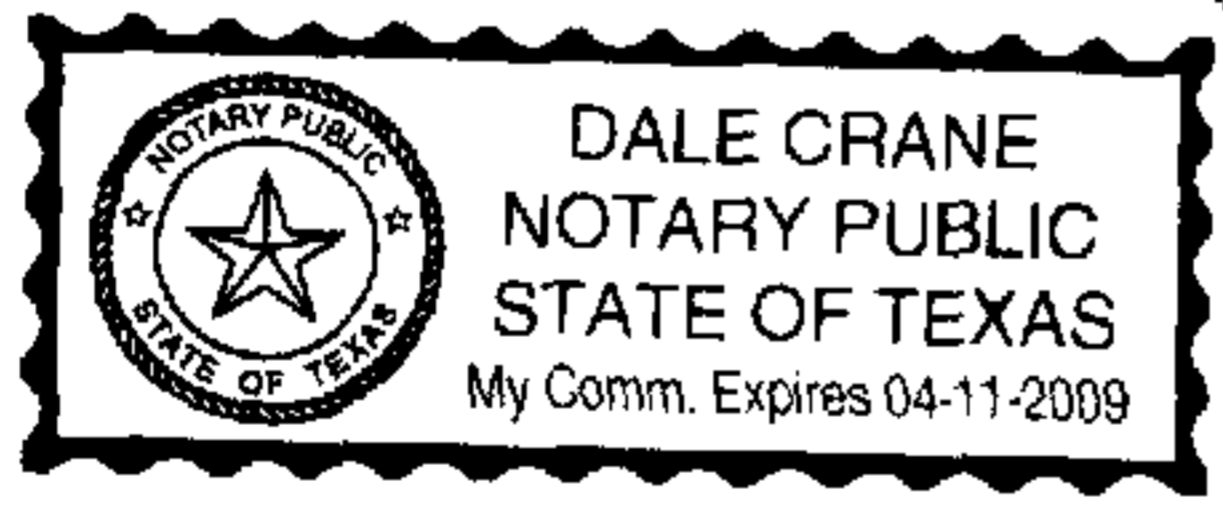
STATE OF TEXAS

COUNTY OF TARRANT §
DALLAS §

This instrument was acknowledged before me on the 20th day of April 2007, by David S. Bagwell, in his capacity as the 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 such partnership.

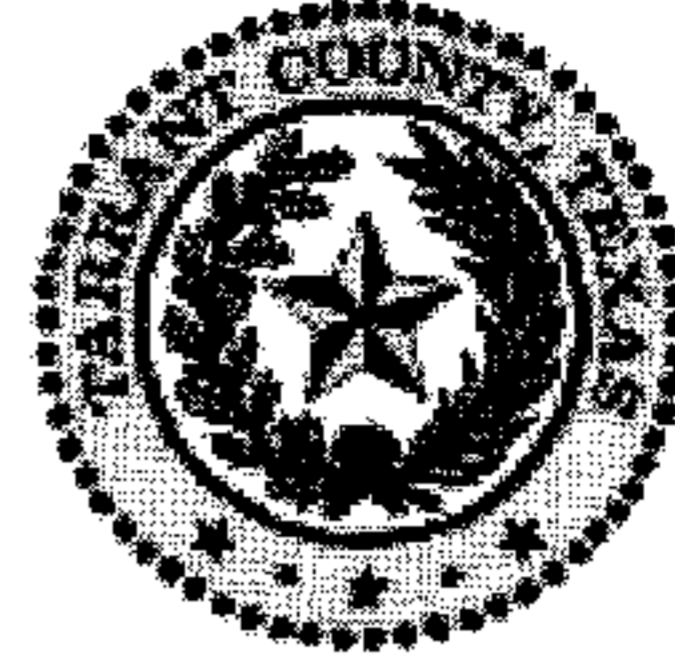
Dale Crane
Notary Public, State of Texas

(Notary Seal)



EVERMORE CORP
8222 DOUGLAS AVE
#605
DALLAS TX 75225

Submitter: DAVID SPURGEON BAGWELL



SUZANNE HENDERSON
TARRANT COUNTY CLERK
TARRANT COUNTY COURTHOUSE
100 WEST WEATHERFORD
FORT WORTH, TX 76196-0401

DO NOT DESTROY

WARNING - THIS IS PART OF THE OFFICIAL RECORD.

Filed For Registration: 04/23/2007 04:27 PM
Instrument #: D207140009
OPR 3 PGS \$20.00

By: _____



D207140009

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.