

FIRST NOTICE OF ADDITION OF LAND TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

MILWOOD SECTION THIRTY SEVEN-B

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WILLIAMSON §

THAT WHEREAS, by instrument dated March 15, 1996, **MILBURN INVESTMENTS, INC., a Texas corporation**, imposed a certain Declaration of Covenants, Conditions, and Restrictions recorded in Document No. 9613374 in the Official Records of Williamson County, Texas ("Declaration") upon (i) Milwood Section Thirty-Seven A, a subdivision of record in Williamson County, Texas, according to the map or plat of record in Cabinet L, Slides 53-54, Plat Records of Williamson County, Texas and (ii) the Replat of Blocks C, I, J, K, M and N of Milwood Thirty-Seven A, a subdivision of record in Williamson County, Texas, according to the map or plat of record in Cabinet M, Slides 213-217, Plat Records of Williamson County, Texas (the "Property");

WHEREAS, Continental Homes of Austin, L. P., a Texas limited partnership ("Declarant"), successor in interest to Milburn Investments, Inc., desires to add land to the Property which is presently encumbered by the Declaration, known as:

Milwood Section Thirty Seven-B, a subdivision in Williamson County, Texas, according to the map or plat of record in Cabinet N, Slides 211-213, Plat Records of Williamson County, Texas ("Section 37B"); and

WHEREAS, pursuant to Section 2.02 of the Declaration, Declarant may, at any time, and from time to time, add land to the Property as described in said Section.

WHEREAS, Declarant desires to add Section 37B to the Declaration such that all land within Section 37B shall be fully bound and governed by, and subject to, the Declaration as if Section 37B had been originally bound by the Declaration.

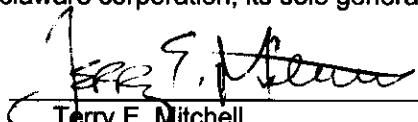
NOW, THEREFORE, Declarant hereby (i) confirms that Section 37B is a portion of the land described in Section 2.02 of the Declaration and (ii) declares that Section 37B shall be held, sold, conveyed and occupied subject to the easements, restrictions, covenants, conditions, assessments, liens, charges and other terms (collectively, the "Restrictions") stated in the Declaration and such Restrictions shall run with the land of Section 37B or any part thereof, and shall be binding upon all parties having any right, title or interest in and to Section 37B or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each owner thereof and to the Association (as defined in the Declaration), if any, and (iii) that any deed, contract or other document purporting to convey any right, title or interest in or to Section 37B, or any portion thereof shall be conclusively held to have been executed, delivered and accepted subject to the Restrictions regardless of whether the same are set out or referred to in said deed, contract or other document.

IN WITNESS WHEREOF, Declarant has executed this instrument to be effective on the 22nd day of April, 1997.

DECLARANT:

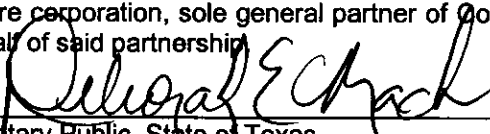
CONTINENTAL HOMES OF AUSTIN, L.P.,
a Texas limited partnership

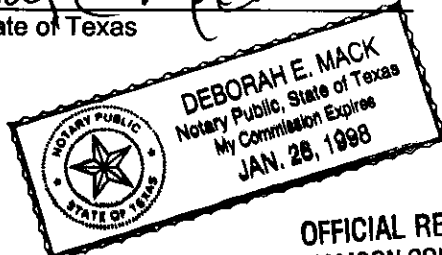
By: CHTEX of Austin, Inc.,
a Delaware corporation, its sole general partner

By: 
Terry E. Mitchell
Vice President

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 22nd day of April, 1997, by Terry E. Mitchell, Vice President of CHTEX of Austin, Inc., a Delaware corporation, sole general partner of Continental Homes of Austin, L.P., a Texas limited partnership, on behalf of said partnership.


Notary Public, State of Texas



OFFICIAL RECORDS
WILLIAMSON COUNTY, TEXAS

AFTER RECORDING, RETURN TO:
Milburn Homes Legal Dept.
4515 Seton Center Parkway, #200
Austin, Texas 78759

Doc# 9717654
Pages: 1
Date : 04-23-1997
Time : 03:14:31 P.M.
Filed & Recorded in
Official Records
of WILLIAMSON County, TX.
ELAINE BIZZELL
COUNTY CLERK
Rec. \$ 9.00