

AFTER RECORDING, PLEASE RETURN TO:

Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

**THIRD SUPPLEMENTAL
CERTIFICATE AND MEMORANDUM OF RECORDING
OF DEDICATORY INSTRUMENTS FOR
TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF DENTON §

The undersigned, as attorney for the Two Sunset Pointe Homeowners' Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:


- *Amendment to the Residential Design Guidelines for Sunset Pointe (Height of Play Structures)* (Exhibit "A").

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instrument.

IN WITNESS WHEREOF, the Two Sunset Pointe Homeowners' Association, Inc. has caused this Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the office of the Denton County Clerk and serves to supplement that

certain Certificate and Memorandum of Recording of Association Documents for Two Sunset Pointe Homeowners Association, Inc. filed on February 6, 2007, and recorded as Instrument No. 2007-14878 in the Official Public Records of Denton County, Texas; and that certain First Supplemental Certificate and Memorandum of Recording of Association Documents for Two Sunset Pointe Homeowners Association, Inc. filed on February 6, 2011, and recorded as Instrument No. 2011-124581 in the Official Public Records of Denton County, Texas; and that certain Second Supplemental Certificate and Memorandum of Recording of Association Documents for Two Sunset Pointe Homeowners Association, Inc. filed on February 7, 2014, and recorded as Instrument No. 2014-10747 in the Official Public Records of Denton County, Texas.

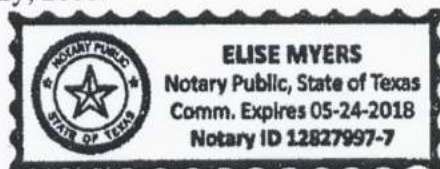
**TWO SUNSET POINTE
HOMEOWNERS' ASSOCIATION, INC.**

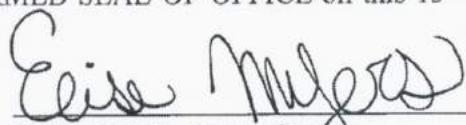
By: 
Its: Attorney

STATE OF TEXAS §
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COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for Two Sunset Pointe Homeowners' Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 15th day of February, 2016.




Notary Public, State of Texas



**AMENDMENT TO THE RESIDENTIAL
DESIGN GUIDELINES FOR SUNSET POINTE
(Height of Play Structures)**

This AMENDMENT TO THE RESIDENTIAL DESIGN GUIDELINES FOR SUNSET POINT (this "Amendment") is made as of the date listed below by Sunset Pointe I, Ltd. (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, the Residential Design Guidelines for Sunset Pointe are recorded as Exhibit A-7 attached to that certain dedicatory instrument recorded as Document 2011-124581 in the Official Public Records of Denton County, Texas (the "Residential Design Guidelines"); and

WHEREAS, Section II, Subsection F of the Design Guidelines provides that the Declarant shall have full authority to amend the Residential Design Guidelines so long as its jurisdiction pursuant to the Declaration of Covenants, Conditions and Restrictions for Sunset Pointe, as amended (the "Declaration") is not surrendered or terminated; and

WHEREAS, the Declarant's jurisdiction or authority under the Declaration has not been surrendered or terminated; and

WHEREAS, the Declarant has determined a need to amend the Residential Design Guidelines to allow the placement of certain play structures on Lots with a height that is in excess of what is presently allowed but only under certain conditions.

NOW, THEREFORE, the Residential Design Guidelines are hereby amended as follows:

(a) Paragraph 15 of Subsection D of Section III (Design Guidelines) of the Residential Design Guidelines is amended to read, in its entirety, as follows:

15. Accessory Structures.

ARC approval is required prior to construction of any accessory structure, including but not limited to sheds and permanently installed playhouses. Play structures, such as forts, slides, swings or a combination thereof (as distinguished from playhouses), are not subject to this Paragraph 15 but shall be governed by the standards set forth in Paragraph 6 of Subsection D of this Section III. Applications for accessory structures will be reviewed with regard to

Lot size, setbacks, and primary building size. Accessory structures should serve as functional elements and enhance the aesthetic qualities and visual theme of Sunset Pointe. Accessory structures, such as permanent storage sheds and gazebos, shall be located in the rear yard or in a location not prominently visible from the street, and shall adhere to the standards herein. Storage sheds, and gazebos shall be architecturally compatible with the home. Accessory structures shall meet the following criteria:

- Accessory structures shall be of the same color, material, and architectural style as the main residence or of color, material, and style that is generally recognized as complementary to that of the main residence.
- An accessory structure's roofing materials shall match those of the main residence.
- Accessory structures shall be no larger than 8'x8', unless a variance is given.
- Accessory structures shall conform to the side and rear yard setbacks.
- Accessory structures shall not unreasonably obstruct any adjacent neighbor's view.

Carports (non-fully enclosed automobile shelters) and temporary sheds are prohibited.

(b) Paragraph 6 of Subsection E of Section III (Use Restrictions) of the Residential Design Guidelines is amended to read, in its entirety, as follows:

6. Play Structures.

Play structures, such as forts, slides, swings or a combination thereof (as distinguished from playhouses) shall be located in a fenced rear yard and set back a minimum of five (5) feet from the rear and/or side property lines of a Lot. Play structures shall be predominately muted earth tone colors. Play structures not exceeding eight (8) feet in height may be installed without prior approval. Any Owner wishing to install a play structure with a height not exceeding fourteen (14) feet must first obtain written approval from the ARC. As a condition precedent to the ARC having any obligation to review a request for approval of a play structure, the ARC must be presented with a written request for approval from the Owner, detailing the location, materials, color and dimensions of the play structure which has been approved by the Owners of Lots which share side and rear property

lines with the Owner wishing to install the playset. The approval of the adjacent Owners must be in writing and the ARC shall have the right to contact any such Owner to verify their consent to the proposed installation. For purposes of this Paragraph 6, the term "height" shall mean the vertical distance measured from grade to the corresponding uppermost point of the play structure.

The terms and provisions of the Residential Design Guidelines, except as modified herein, are hereby declared to be in full force and effect. Unless otherwise defined herein, all capitalized terms used herein shall have the meanings set forth in the Residential Design Guidelines or the Declaration.

IN WITNESS WHEREOF, the undersigned has caused this Amendment to the Residential Design Guidelines to be filed with the office of the Denton County Clerk.

SUNSET POINTE I, LTD.
a Texas limited partnership

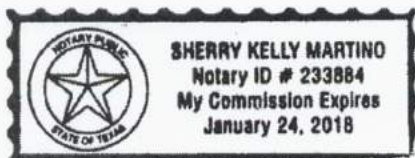
By: [Signature]
DANIEL J. WALSH, VICE President [Signature]

STATE OF TEXAS

COUNTY OF COLLIN

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This instrument was acknowledged before me on the 10TH day of FEBRUARY, 2016, by DANIEL J. WALSH, VICE PRESIDENT, of LANDOWN DEVELOPMENT COMPANY, LLC, as General Partner of Sunset Pointe I, Ltd., on behalf of said limited partnership.



[Signature]
Notary Public, State of Texas

EXHIBIT B

Those tracts and parcels of real property located in the City of Little Elm, Denton County, Texas and more particularly described as follows:

- (a) All property subject to the **Declaration of Covenants, Conditions and Restrictions for Sunset Pointe, dated December 27, 2005 and recorded as Document Number 2003-156536 in the Official Public Records of Denton County, Texas; and**
- (b) All property subject to the **Sunset Pointe, Phase One, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 183130 of the Map Records of Denton County, Texas; and**
- (c) All property subject to the **Sunset Pointe, Phase Two, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 208443 of the Map Records of Denton County, Texas; and**
- (d) All property subject to the **Sunset Pointe, Phase Three, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 208446 of the Map Records of Denton County, Texas; and**
- (e) All property subject to the **Sunset Pointe, Phase Four, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 208445 of the Map Records of Denton County, Texas; and**
- (f) All property subject to the **Sunset Pointe, Phase Five, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 83548 of the Map Records of Denton County, Texas; and**
- (g) All property subject to the **Sunset Pointe, Phase Six, an addition in the City of Little Elm, Denton County, Texas, according to a**

map or plat thereof, recorded as Document No. 48215 of the Map Records of Denton County, Texas; and

- (h) **All property subject to the Sunset Pointe, Phase Nine, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 83550 of the Map Records of Denton County, Texas; and**
- (i) **All property subject to the Sunset Pointe, Phase Eleven, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 83551 of the Map Records of Denton County, Texas; and**
- (j) **All property subject to the Sunset Pointe, Phase Ten, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 108300 of the Map Records of Denton County, Texas; and**
- (k) **All property subject to the Sunset Pointe, Phase Twelve-A, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 108301 of the Map Records of Denton County, Texas; and**
- (l) **All property subject to the Sunset Pointe, Phase Thirteen, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 83552 of the Map Records of Denton County, Texas; and**
- (m) **All property subject to the Sunset Pointe, Phase Fourteen, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 58978 of the Map Records of Denton County, Texas; and**
- (n) **All property subject to the Sunset Pointe, Phase Fifteen, an addition in the City of Little Elm, Denton County, Texas,**

according to a map or plat thereof, recorded as Document No. 70013 of the Map Records of Denton County, Texas; and

- (o) **All property subject to the Sunset Pointe, Phase Six Amended Plat, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 61403 of the Map Records of Denton County, Texas; and**
- (p) **All property subject to the Sunset Pointe, Phase Seven, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 56298 of the Map Records of Denton County, Texas; and**
- (q) **All property subject to the Sunset Pointe, Phase Twelve, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 35167 of the Map Records of Denton County, Texas; and**
- (r) **All property subject to the Sunset Pointe, Phase Twenty Three-A, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2006-16243 of the Map Records of Denton County, Texas; and**
- (s) **All property subject to the Sunset Pointe, Phase Seventeen, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 68648 of the Map Records of Denton County, Texas; and**
- (t) **All property subject to the Sunset Pointe, Phase Eighteen, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 68649 of the Map Records of Denton County, Texas; and**
- (u) **All property subject to the Sunset Pointe, Phase Eight, an addition in the City of Little Elm, Denton County, Texas,**

according to a map or plat thereof, recorded as Document No. 108207 of the Map Records of Denton County, Texas; and

- (v) **All property subject to the Sunset Pointe, Phase Sixteen, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 134026 of the Map Records of Denton County, Texas; and**
- (w) **All property subject to the Sunset Pointe, Phase Twenty Four-A, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2008-341 of the Map Records of Denton County, Texas; and**
- (x) **All property subject to the Sunset Pointe, Phase Nineteen-A, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2008-113421 of the Map Records of Denton County, Texas; and**
- (y) **All property subject to the Sunset Pointe, Phase Nineteen-B, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2010-122 of the Map Records of Denton County, Texas; and**
- (z) **All property subject to the Sunset Pointe, Phase Nineteen-C, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2011-124 of the Map Records of Denton County, Texas; and**
- (aa) **All property subject to the Sunset Pointe, Phase Twenty-A, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 113432 of the Map Records of Denton County, Texas; and**
- (bb) **All property subject to the Sunset Pointe, Phase Twenty-B, an addition in the City of Little Elm, Denton County, Texas,**

according to a map or plat thereof, recorded as Document No. 2010-171 of the Map Records of Denton County, Texas; and

- (cc) **All property subject to the Sunset Pointe, Phase Twenty One, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2011-178 of the Map Records of Denton County, Texas; and**
- (dd) **All property subject to the Enclave at Lakeview Sunset Pointe, Phase Twenty Two, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2012-203 of the Map Records of Denton County, Texas; and**
- (ee) **All property subject to the Dominion at Lakeview Sunset Pointe, Phase Twenty Three, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2012-202 of the Map Records of Denton County, Texas; and**
- (ff) **All property subject to the Enclave at Lakeview Sunset Pointe, Phase Twenty Four, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2013-50 of the Map Records of Denton County, Texas; and**
- (gg) **All property subject to the Sunset Pointe, Phase Twenty Four-A Amending Plat, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2015-344 of the Map Records of Denton County, Texas; and**
- (hh) **All property subject to the Dominion at Lakeview Sunset Pointe, Phase Twenty Five, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof,**

recorded as Document No. 2014-177 of the Map Records of Denton County, Texas; and

- (ii) **All property subject to the Enclave at Lakeview Sunset Pointe, Phase Twenty Six, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2014-178 of the Map Records of Denton County, Texas; and**
- (jj) **All property subject to the Dominion at Lakeview Sunset Pointe, Phase Twenty Seven, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2015-98 of the Map Records of Denton County, Texas; and**
- (kk) **All property subject to the Enclave at Lakeview Sunset Pointe, Phase Twenty Eight, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2015-445 of the Map Records of Denton County, Texas; and**
- (ll) **All property subject to the Enclave at Lakeview Sunset Pointe, Phase Twenty Nine, an addition in the City of Little Elm, Denton County, Texas, according to a map or plat thereof, recorded as Document No. 2015-446 of the Map Records of Denton County, Texas.**