

ORIGINAL

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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

DECLARATION OF AGE RESTRICTIONS

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS:

THIS DECLARATION OF AGE RESTRICTIONS (this "Declaration") is executed by BOSSY BOOTS HOLDINGS, LTD., a Texas limited partnership ("Declarant").

RECITALS:

A. Declarant is the owner in fee simple of certain real property located in the City of Allen, Collin County, Texas, said property being more fully described by metes and bounds on Exhibit "A," attached hereto and incorporated herein by reference ("the Property");

B. Declarant intends for the Property to be developed as an age-restricted residential community; and

C. Declarant desires to impose certain covenants, conditions and restrictions upon the Property in order to ensure that the Project (as defined herein) is operated as an age-restricted residential community in compliance with all applicable Texas and federal laws.

NOW, THEREFORE, Declarant hereby covenants, agrees and declares that (a) all the Property shall be held, sold, transferred and conveyed subject to the covenants, conditions and restrictions set forth in this Declaration; and (b) these covenants, conditions and restrictions shall run with the land in the Property and shall be binding on all parties having or acquiring any right, title or interest in the Property or any part thereof and shall inure to the benefit of each Owner of all or a part of the Property.

1. Definitions. Capitalized terms used in this Declaration and not defined elsewhere herein shall have the meanings assigned to them in this Section 1.

"Age Restrictions" shall mean the restrictions imposed on the Property and the Project pursuant to Section 2 hereof.

"City" shall mean the City of Allen, Collin County, Texas.

"Project" shall mean an adult residential community to be developed and constructed on the Property.

"Unit" shall mean each physical portion of the Project that is designated for occupancy as a residential apartment.

"Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any portion of the Property.

2. Age Restrictions. The Project is intended to provide housing primarily for persons 55 years of age or older. The Project shall be operated as an age-restricted residential community in compliance with all applicable Texas and federal laws. Each Unit, if occupied, must be occupied by at least one person 55 years of age or older. No person under 19 years of age shall occupy or stay overnight in a Unit for more than ninety (90) days during any twelve (12) consecutive months. Declarant shall establish policies and procedures from time to time as necessary to maintain the Project's status as an age-restricted community under Texas and federal laws; provided, however, such policies and procedures shall in no event amend or terminate the Age Restrictions without the City's prior approval as required by Section 3.

3. Amendments to Age Restrictions. If at any time Declarant or any subsequent Owner desires to amend or terminate the Age Restrictions, Declarant shall so notify the City in writing and submit a proposed form of such amendment or termination for the City's review and comment. The City may approve or disapprove any proposed amendment or termination in its sole discretion. No amendment or termination of the Age Restrictions shall be effective without the prior approval of a majority of the City Council of the City, voting in a duly called meeting pursuant to the Texas Open Meetings Act, as amended.

4. General Provisions.

(a) Each and all of the covenants, conditions and restrictions contained in this Declaration (whether affirmative or negative in nature) are made for the direct, mutual and reciprocal benefit of the City and constitute covenants running with the land, binding Declarant and each and every subsequent Owner and/or occupant of the Property having any fee, leasehold, or other interest in any portion of the Property, any time and from time to time.

(b) This Declaration shall be perpetual.

(c) Declarant hereby declares that the City is an intended beneficiary of this Declaration with the right to enforce the provisions contained herein as the City may, in its sole discretion, determine, including the right to seek injunctive or other equitable relief to prevent any non-compliance with the provisions contained in this Declaration.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

EXECUTED on the date of acknowledgment below, but effective as of JUNE 2, 2009
for all purposes.

DECLARANT:

BOSSY BOOTS HOLDINGS, LTD.,
a Texas limited partnership

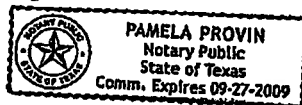
By: Bossy Boots Investments, Inc., a Texas
corporation, its General Partner

By: [Signature]
Name: THEODORE M. JONES
Title: VICE PRES.

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF Dallas §

This instrument was acknowledged before me this 2nd day of June, 2009, by
Theodore M. Jones, Vice President of Bossy Boots Investments, Inc., a Texas
corporation, on behalf of said corporation in its capacity as general partner of Bossy Boots
Holdings, Ltd., a Texas limited partnership.



(PERSONALIZED SEAL)

[Signature]
Notary Public

AFTER RECORDING RETURN TO:

Peter G. Smith
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
500 N. Akard Street
Suite 1800
Dallas, Texas 75201

EXHIBIT A

22.036 ACRE TRACT

Part of Lot 1, Block C, Bray Central One
Part of a Vacation Plat of Lots 1, 2, 3 & 4, Block A and
Lots 1 & 2, Block B, Bray Central One and
Part of Bray Central Drive & Benton Drive
Catherine Parsons Survey, Abstract No. 711
City of Allen, Collin County, Texas

DESCRIPTION, of a 22.036 acre tract of land situated in the Catherine Parsons Survey, Abstract No. 711, Collin County, Texas; said tract being part of Lot 1, Block C, Bray Central One, an addition to the City of Allen, Texas according to the plat recorded in Cabinet G, Slide 120 of the Plat Records of Collin County, Texas; part of a Vacation Plat of Lots 1, 2, 3 & 4, Block A and Lots 1 & 2, Block B, Bray Central One, an addition to the City of Allen, Texas according to the plat recorded in Cabinet K, Slide 804 of said Plat Records; all of that certain portion of Bray Central Drive abandoned by the plat of Bray Central Drive & Benton Drive, an addition to the City of Allen, Texas recorded in Cabinet N, Slide 110 of said Plat Records and part of that certain tract of land described as Tract 11 in Special Warranty Deed to Bossy Boots Holdings, Ltd. recorded in Volume 5398, Page 6447 of the Deed Records of Collin County, Texas; said 22.036 acre tract being more particularly described as follows (bearing system for this survey based on a bearing of South 39 degrees, 18 minutes, 43 seconds West for the northwest right-of-way line of Walters Road according to the first referenced plat of Bray Central One):

BEGINNING, at a point for corner (nothing found or set) at the intersection of the said northwest line of Walters Road (a 110-foot wide right-of-way) and the northeast right-of-way line of Bray Central Drive (a variable width right-of-way, 110 feet wide at this point); said point being the southernmost corner of said Tract 11;

THENCE, along the said northeast line of Bray Central Drive and the southwest line of said Tract 11, the following four (4) calls:

North 50 degrees, 41 minutes, 21 seconds West, a distance of 224.79 feet to a 3-inch aluminum disk stamped "RPLS 5686" (in concrete) found at an angle point;

North 55 degrees, 53 minutes, 01 seconds West, a distance of 110.45 feet to a 3-inch aluminum disk stamped "RPLS 5688" (in concrete) found at an angle point;

North 50 degrees, 41 minutes, 21 seconds West, a distance of 131.72 feet to a 5/8-inch Iron rod with "CARTER & BURGESS" cap found at the beginning of a tangent curve to the right;

In a northwesterly direction, along said curve to the right, having a central angle of 19 degrees, 44 minutes, 57 seconds, a radius of 2,376.00 feet, a chord bearing and distance of North 40 degrees, 48 minutes, 53 seconds West, 814.93 feet, an arc distance of 818.97 feet to a point for corner (nothing found or set); said point being in the approximate centerline of an un-named creek;

THENCE, departing the said northeast line of Bray Central Drive and the said southwest line of Tract 11 and along the said approximate creek centerline, the following three (3) calls:

North 47 degrees, 03 minutes, 13 seconds East, a distance of 66.81 feet to a an angle point (nothing found or set);

North 58 degrees, 48 minutes, 14 seconds East, a distance of 93.29 feet to an angle point (nothing found or set);

North 35 degrees, 47 minutes, 58 seconds East, a distance of 18.86 feet to a point for corner (nothing found or set) in the north terminus of that said portion of old Bray Central Drive abandoned by the said plat recorded in Cabinet N, Slide 110;

THENCE, North 89 degrees, 41 minutes, 04 seconds East, departing the said approximate creek centerline and along the said north terminus of old Bray Central Drive and the north line of the said Lot 1, a distance of 1431.64 feet to a 1/2-inch iron rod with "NELSON CORP" cap found for corner in the west line of said Watters Road and the east line of said tract 11; said point being the northeast corner of said Lot 1;

THENCE, along the said west and northwest lines of Watters Road, the said east line of Tract 11 and the southeast line of said Tract 11, the following three (3) calls:

South 00 degrees, 41 minutes, 17 seconds East, a distance of 0.36 feet to a point (nothing found or set) at the beginning of a tangent curve to the right;

In a southwesterly direction, along said curve to the right, having a central angle of 40 degrees, 00 minutes, 00 seconds, a radius of 545.00 feet, a chord bearing and distance of South 19 degrees, 18 minutes, 43 seconds West, 372.80 feet, an arc distance of 380.48 feet to a 1/2-inch iron rod found at the end of said curve;

South 39 degrees, 18 minutes, 43 seconds West, a distance of 865.18 feet to the POINT OF BEGINNING;

CONTAINING, 959,884 square feet or 22.036 acres of land, more or less.



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
07/08/2009 01:46:03 PM
\$32.00 BNOPP
20090708000855780

Stacey Kemp