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**DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CHURCHILL FARMS**

After Recording Return To:

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**DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR CHURCHILL FARMS**

STATE OF TEXAS

§

COUNTY OF FORT BEND

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This Declaration of Covenants, Conditions and Restrictions for Churchill Farms, is made on the date hereinafter set forth by Beazer Homes Texas, L.P., a Delaware limited partnership, hereinafter referred to as the "Declarant," with the joinder of Taylor Morrison of Texas, Inc., a Texas corporation, the owner of a portion of the Property, hereinafter sometimes referred to as "Taylor Morrison"

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in Fort Bend County, Texas platted as:

Churchill Farms Sec 1, a subdivision of 14.035 acres and containing 52 lots and 3 blocks and 6 reserves, and also being out of the Alexander Phillips survey, Abstract A-300, according to the map or plat thereof, filed on the 6th day of March, 2012 under Clerk's File No. 20120046;

Churchill Farms Sec 2, a subdivision of 18.113 acres and containing 64 lots and 2 blocks and 3 reserves, and also being out of the Alexander Phillips survey, Abstract A-300, according to the map or plat thereof, filed on the 13th day of March, 2012 under Clerk's File No. 20120051;

Churchill Farms Sec 3, a subdivision of 17.855 acres and containing 60 lots and 4 blocks and 5 reserves, and also being out of the Alexander Phillips survey, Abstract A-300, according to the map or plat thereof, filed on the 13th day of March, 2012 under Clerk's File No. 20120050;

Churchill Farms Sec 4, a subdivision of 3.368 acres and containing 11 lots and 1 block and 2 reserves, and also being out of the Alexander Phillips survey, Abstract A-300, according to the map or plat thereof, filed on the 6th day of March, 2012 under Clerk's File No. 20120053; and

Churchill Farms Drainage/ Detention, a subdivision of 19.691 acres and containing 0 lots and 2 block and 3 reserves, and also being out of the Alexander Phillips survey, Abstract A-300, according to the map or plat thereof, filed on the 25th day of April, 2012 under Clerk's File No. 20120087;

(collectively, the "Plat") in the Plat Records of Fort Bend County, Texas (the "Property" and/or "Churchill Farms", which term shall include additional land as same may be annexed into the Churchill Farms subdivision and made subject to this Declaration); and

WHEREAS, Declarant desires to develop the property contained within Churchill Farms as a mixed use subdivision, and to provide and adopt a uniform plan of development including assessments, conditions, covenants, easements, reservations, and restrictions designed to govern, control and preserve the values and amenities of the property contained within Churchill Farms for the development, improvement, aesthetic considerations, sale, common welfare of the community, and the use and enjoyment of the property contained within Churchill Farms as a mixed use subdivision; and

WHEREAS, Declarant desires to subject the Property, together with additional land as may hereinafter be made subject hereto, to the assessments, conditions, covenants, easements, reservations, and restrictions hereinafter set forth, for the benefit of the Property, additions thereto, and each Owner of any part thereof; and

WHEREAS, the Property lies within the "LZ3" Lightning Zone Designation; and

WHEREAS, Declarant has deemed it desirable, for the efficient preservation of the amenities in said subdivision and enforcement of this Declaration, to create an Association (hereinafter defined) to which shall be delegated and assigned the authority to administer and enforce these assessments, conditions, covenants, easements, reservations and restrictions, including levying, collecting and disbursing the Assessments (hereinafter defined); and

WHEREAS, there has been or will be incorporated one or more non-profit corporations created under the laws of the State of Texas, including the first being the Churchill Farms Community Association, Inc. Declarant is hereby authorized to incorporate one or more entities to provide the functions of the Association. The Directors of which Association either have or will establish certain Bylaws by which the Association shall be governed through its Board of Directors, for the purpose of exercising the functions aforesaid and any other duties as set out in the Bylaws and/or other Dedicatory Instruments as that term is defined in the Texas Property Code. No more than one such non-profit corporation shall be in existence at any one time.

NOW, THEREFORE, Declarant, with the joinder of Taylor Morrison of Texas, Inc., a Texas corporation, hereby declares that the Property shall be developed, improved, sold, used and enjoyed in accordance with, and subject to the following plan of development, including the assessments, conditions, covenants, easements, reservations, and restrictions hereinafter set forth, all of which are hereby adopted for, and placed upon said Property and shall run with the Property and be binding on all parties, now and at anytime hereinafter having or claiming any right, title or interest in the Property or any part thereof, their heirs, executors, administrators, successors and assigns, regardless of the source of, or the manner in which any such right, title or interest is or may be acquired, and shall inure to the benefit of each Owner of any part of the Property.

The Property is subject to this Declaration, which may be amended or supplemented from time to time. If any conflict exists between all or any portion of the Declaration and any amendment and/or supplement, the more restrictive provision shall control.