

DECLARATION OF ANNEXATION
(Bay Colony West Homeowners Association, Inc.)

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

WHEREAS, Bay Colony Expansion 369, Ltd., a Texas limited partnership ("Declarant"), executed that certain Declaration of Covenants, Conditions and Restrictions for Bay Colony West Single Family Residential Areas dated August 24, 2004 (the "Declaration") which was filed under Clerk's File No. 2004058774 and recorded in the Official Records of Real Property of Galveston County, Texas; and

WHEREAS, Bay Colony expansion 200, Ltd., a Texas limited partnership (the "Owner") is the owner of the approximately 38.56 acre and 18.16 acre tracts of land which have been platted and subdivided as Bay Colony Pointe West Section Three, Phase 1 and Bay Colony Meadows West, Section Three, Phase 1, subdivisions of land in Galveston County, Texas according to the plats thereof recorded under Plat Record 2007A, Map Numbers 76, 77, 78 and 79 and Plat Record 2007A, Map Numbers 80 and 81, respectively, in the Plat Records of Galveston County, Texas (the "Property"); and

WHEREAS, Section 1 of Article VIII of the Declaration gives the Declarant (as the owner, or if not the owner, with the consent of the owner) the right to annex additional property into the jurisdiction of the Bay Colony West Homeowners Association, Inc., a Texas non-profit corporation (the "Association"); and

WHEREAS, the Declarant desires to annex the Property into the jurisdiction of the Association subject to the provisions of the Declaration and the Owner desires to consent to such annexation.

NOW, THEREFORE, for and in consideration of the premises, and the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, Declarant and Owner agree as follows:

1. Declarant hereby annexes the Property into the jurisdiction of the Association and declares that the Property shall be a portion of the Properties (as defined in the Declaration) and shall be subject to all provisions of the Declaration, including, without limitation, the right of the Association to levy assessments as set forth in the Declaration.

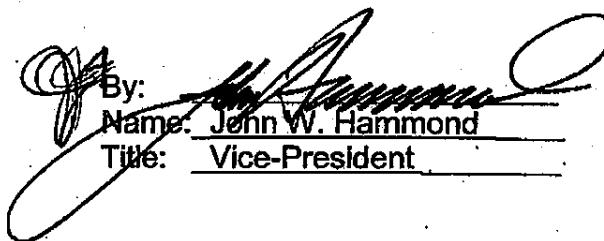
2. Owner, as the current owner of the Property, hereby consents to the annexation of the Property into the jurisdiction of the Association and to the provisions of the Declaration and hereby fully subordinates its interest in the Property to all provisions of the Declaration.

EXECUTED the 6th day of June, 2007.

DECLARANT:

BAY COLONY EXPANSION 369, LTD.,
a Texas limited partnership

By: Lennar Texas Holding Company,
its general partner

By: 
Name: John W. Hammond
Title: Vice-President

OWNER:

BAY COLONY EXPANSION 200, LTD.,
a Texas limited partnership

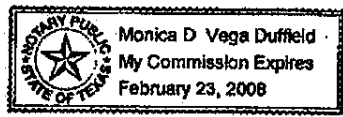
By: M. Sherman & Associates Land
Development, L.L.C.,
its general partner

By: 
Name: W. MICHAEL SCHAFER
Title: SR. VICE PRESIDENT

THE STATE OF TEXAS §
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COUNTY OF HARRIS §

This instrument was acknowledged before me on the 5th day of June, 2007 by John W. Hammond, Vice President of Lennar Texas Holding Company, a Texas corporation which is the general partner of BAY COLONY EXPANSION 369, LTD., a Texas limited partnership, on behalf of said limited partnership.

[Seal]



Monica D. Vega Duffield
Notary Public—State of Texas

THE STATE OF TEXAS §
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COUNTY OF HARRIS §

This instrument was acknowledged before me on the 6th day of June, 2007 by W. Michael Schaffer, Sr. Vice President of M. Sherman & Associates Land Development, L.L.C., a Texas limited liability company which is the general partner of BAY COLONY EXPANSION 200, LTD., a Texas limited partnership, on behalf of said limited partnership.

[Seal]



Janet Martha Widger
Notary Public—State of Texas

After Recording, Return To: RR

COATS | ROSE
A Professional Corporation
Attorneys at Law
3 Greenway Plaza
Suite 2000
Houston, Texas 77046

PAID

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Mary Ann Daigle

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June 07, 2007 02:40:13 PM

FEE: \$24.00

Mary Ann Daigle, County Clerk
Galveston County, TEXAS