

(a) The name of Declarant on the initial page of the Declaration is hereby corrected to be Fraser North Creek McKinney, LLC, a Texas limited liability company.

(b) The effective date of the Declaration as shown in the opening paragraph to the Declaration is hereby amended and modified to be January 20, 2023.

(c) Attached hereto as Schedule 1 and incorporated herein by reference is a legal description of an approximate 8-acre tract of land currently located within the Property, and being a portion of (not all of) Common Area A-1 as shown on that certain plat of North Creek Estates Phase 1, recorded in Plat Book 2023, Pages 128-129 of the Plat Records of Collin County, Texas (the "Excluded Tract"). The Excluded Tract is not intended to be part of the Property that is the subject of the Declaration. It is Declarant's intent to cause the Excluded Tract to be platted as a separate lot from any other Common Area located within the Property. Accordingly, Declarant and any owner of the Excluded Tract shall be authorized and permitted to cause the Excluded Tract to be platted separately from any other portion of the Property, and upon the recordation of a plat of the Excluded Tract in the Official Public Records of Collin County, Texas, establishing the Excluded Tract as a separate subdivided lot, regardless of the timing of when such recordation occurs, the Excluded Tract shall then be deemed automatically released from the Declaration, without the necessity of any further action by Declarant, the Association, or any of the Owners, and the Excluded Tract shall thereafter no longer be deemed to be encumbered by this Declaration.

3. No Other Effect. Except as expressly modified, amended and supplemented by this Amendment, the terms and provisions of the Declaration are not amended, modified or supplemented.

4. Severability. Invalidation of anyone provision of this Amendment by judgment or court order shall in no way affect any other provision of this Amendment or the remainder of this Amendment which shall remain in full force and effect. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Amendment a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

5. Headings. The headings contained in this Amendment are for reference purposes only and shall not in any way affect the meaning or interpretation of this Amendment.

REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS

EXECUTED to be effective as of the date written above.

DECLARANT:

FRASER NORTH CREEK MCKINNEY, LLC,
a Texas limited liability company

By: [Signature]
Name: Stephen Smith
Title: Manager

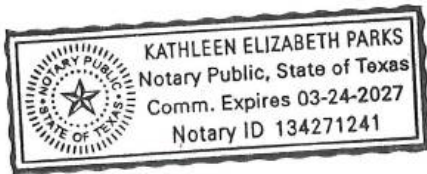
STATE OF TEXAS §
 §
COUNTY OF Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared Stephen Smith, Manager of FRASER NORTH CREEK MCKINNEY, LLC, a Texas limited liability company, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and as the act and deed of said limited liability company, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 21 day of May,
2022/ KP

[Signature]
Notary Public, State of Texas

[SEAL]



SCHEDULE 1

Legal Description of the Excluded Tract

SCHEDULE 1

LEGAL DESCRIPTION

WHEREAS, FRASER NORTH CREEK McKINNEY, LLC. and FRASER NORTH CREEK SOUTH, LLC., are the owners of a tract of land situated in the John Crutchfield Survey, Abstract No. 206, in the City of McKinney, Collin County, Texas, being part of Common Area A-1 out of North Creek Estates Phase 1, an addition to the City of McKinney as described in Doc. No. 2023-128 in the Plat Records of Collin County, Texas, and part of a 9.429 acre tract, as described in Doc. No. 2023000115112 in the Deed Records of Collin County, Texas and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the southwest corner of North Creek Estates Phase 1 and being the most southwest corner of said Common Area A-1 and being in the east line of Custer Road (Variable R.O.W.);

THENCE, North 00°24'31" West, along the west line of said North Creek Estates Phase 1 and the east line of Custer Road and being the west line of said Common Area A-1, for a distance of 96.38 feet, to a ½ inch iron rod found, on a non-tangent curve to the left, having a radius of 1114.00 feet, a central angle of 03°16'10";

THENCE, continuing along the east line of said Custer Road and the west line of said North Creek Estates Phase 1 and west line of said Common Area A-1 with said curve to the left for an arc distance of 63.57 feet, (Chord Bearing North 02°02'36" West - 63.56 feet), to a 1/2 inch iron rod found;

THENCE, North 03°40'41" West, continuing along said lines, for a distance of 150.48 feet, to a ½ inch iron rod found, on a non-tangent curve to the right, having a radius of 986.00 feet, a central angle of 03°16'11";

THENCE, continuing along said lines and with said curve to the right for an arc distance of 56.27 feet, (Chord Bearing North 02°02'36" West - 56.26 feet), to a ½ inch iron rod found;

THENCE, North 00°24'31" West, continuing along said lines, for a distance of 121.48 feet, to a ½ inch iron rod found;

THENCE, North 30°24'31" West, continuing along said lines, for a distance of 26.00 feet, to a ½ inch iron rod found;

THENCE, North 00°24'31" West, continuing along said lines, for a distance of 360.00 feet, to a ½ inch iron rod found;

THENCE, North 28°35'29" East, continuing along said lines, for a distance of 40.00 feet, to a ½ inch iron rod found;

THENCE, North 00°24'31" West, continuing along said lines, for a distance of 56.04 feet, to a ½ inch iron rod found;

THENCE, South 63°40'21" East, departing said lines, for a distance of 266.51 feet, to a point in the east line of said North Creek Phase 1 and the east line of said Common Area A-1 and being in a creek;

THENCE, along said east lines and with said creek for the following thirty-one (31) calls:

South 81°37'43" East, for a distance of 38.40 feet;
South 76°01'19" East, for a distance of 43.21 feet;
South 60°59'16" East, for a distance of 21.78 feet;
South 01°59'10" West, for a distance of 54.63 feet;
South 59°52'57" East, for a distance of 45.46 feet;
South 52°49'41" East, for a distance of 25.53 feet;
South 00°13'20" East, for a distance of 24.75 feet;
South 18°12'16" East, for a distance of 31.84 feet;
South 38°00'38" West, for a distance of 16.15 feet;
North 83°12'51" West, for a distance of 36.56 feet;
South 81°23'38" West, for a distance of 21.04 feet;
South 02°28'30" East, for a distance of 21.14 feet;
South 36°44'24" East, for a distance of 34.11 feet;
South 18°28'11" East, for a distance of 25.53 feet;
South 10°49'07" East, for a distance of 33.80 feet;
South 89°46'31" East, for a distance of 25.24 feet;
North 80°40'42" East, for a distance of 32.62 feet;
South 55°45'13" East, for a distance of 23.59 feet;
South 16°52'06" West, for a distance of 20.73 feet;
South 54°21'06" West, for a distance of 42.04 feet;
South 36°48'04" West, for a distance of 26.45 feet;
South 48°10'59" East, for a distance of 51.87 feet;
South 28°25'29" East, for a distance of 120.85 feet;
South 56°01'13" East, for a distance of 53.38 feet;
South 45°23'48" East, for a distance of 86.60 feet;
South 77°03'11" West, for a distance of 195.24 feet;
South 48°54'29" West, for a distance of 106.62 feet;
South 47°56'33" West, for a distance of 171.91 feet;
South 70°13'56" West, for a distance of 47.12 feet;
South 87°26'48" West, for a distance of 30.12 feet;
South 89°58'08" West, for a distance of 112.26 feet, to the POINT OF BEGINNING and containing 8.022 acres of land.



VG-10-2024-2024000063572

Collin County
Honorable Stacey Kemp
Collin County Clerk

Instrument Number: 2024000063572

Real Property

AMENDMENT

Recorded On: May 28, 2024 02:48 PM

Number of Pages: 7

" Examined and Charged as Follows: "

Total Recording: \$45.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2024000063572
Receipt Number: 20240528000606
Recorded Date/Time: May 28, 2024 02:48 PM
User: Cathy L
Station: Station 5

Record and Return To:

LIECHTY MCGINNIS BERRYMAN & BOWEN
11910 GREENVILLE AVENUE #400

DALLAS TX 75243



STATE OF TEXAS
Collin County

**I hereby certify that this Instrument was filed in the File Number sequence on the date/time
printed hereon, and was duly recorded in the Official Public Records of Collin County, Texas**

Honorable Stacey Kemp
Collin County Clerk
Collin County, TX