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**SUPPLEMENTAL DECLARATION/DESIGNATION OF VILLAGE**

This Supplemental Declaration of Covenants, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association ("Supplemental Declaration") is executed effective the 10th day of June, 2004, under the terms of conditions herein set forth, and thus:

**WHEREAS**, the Declaration of Covenants, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association was recorded under Brazoria County Clerk's File No. 01 042985 and re-recorded under Brazoria County Clerk's File No. 01 051825, Fort Bend County Clerk's File No. 2001095077 and re-recorded under Fort Bend County Clerk's File No. 2001111335, Harris County Clerk's File No. V361959 and re-recorded under Harris County Clerk's File No. V472436, as amended or supplemented the "Declaration"; and

**WHEREAS**, Article I, Section 1.48 and Article V, Section 5.06, state that the Declarant shall designate a Village by the filing of a Supplemental Declaration; and

**WHEREAS**, the Declarant wishes to designate the Village of Biscayne Bay;

**NOW THEREFORE**, the Declarant hereby designates the real property described on Exhibit "A" attached hereto and made a part hereof as a Village, as that term is defined in the Declaration, to be known as the Village of Biscayne Bay. The Village of Biscayne Bay shall be a residential village. All capitalized terms not defined herein shall have the meanings ascribed thereto in the Declaration.

**SHADOW CREEK RANCH DEVELOPMENT  
COMPANY LIMITED PARTNERSHIP,  
a Nevada limited partnership**

By its general partner:  
Shadow Creek Ranch, Inc.,  
a Nevada corporation

By: 

Name: Gary Cook

Title: President

**RECORDER'S MEMORANDUM:**

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon, or photo-copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.



**EXHIBIT A**

**Village of Biscayne Bay  
Property Description**

DESCRIPTION OF  
528.469 ACRES  
SHADOW CREEK RANCH  
VILLAGE OF BISCAYNE BAY

Being 528.469 acres of land located in the S.G. Haynie Survey Abstract 212, the H.T. & B.R.R. Co. Survey, Section 83, Abstract 305, and the H.T. & B.R.R. Co. Survey, Section 82, Abstract 565, in Brazoria County, Texas, being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 27);

BEGINNING at the northwesterly corner of that certain called 76.1973 acres (described as Tract II) conveyed to Pearland Investments Limited Partnership by instrument of record in File No. 99-015973, Official Records of Brazoria County, Texas (B.C.O.R.), File No. 1999028625, Official Public Records of Fort Bend County, Texas (F.B.C.O.P.R.), and File No. T649550, Official Public Records of Real Property of Harris County, Texas (H.C.O.P.R.R.P.) and being on the southerly right-of-way line of F.M. 2234 (Shadow Creek Parkway, 160-foot width), also being on the common county line of Brazoria County and Fort Bend County, Texas;

Thence, with the common line of said F.M. 2234 and said 76.1973 acres, South  $60^{\circ} 48' 37''$  East, 79.05 feet to a point for corner, the beginning of a curve;

Thence, continuing with said common line, 1507.23 feet, along the arc of a tangent curve to the left having a radius of 5809.58 feet, a central angle of  $14^{\circ} 51' 53''$ , and a chord that bears South  $68^{\circ} 14' 34''$  East, 1503.00 feet to a point for corner;

Thence, leaving said common line, South  $14^{\circ} 19' 30''$  West, 25.00 feet to a point for corner;

Thence, South  $21^{\circ} 42' 18''$  West, 345.78 feet to a point for corner;

528.469 Acres

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Thence, South 20° 37' 17" West, 96.88 feet to a point for corner;

Thence, South 08° 27' 03" West, 91.82 feet to a point for corner;

Thence, South 07° 05' 24" East, 92.65 feet to a point for corner;

Thence, South 12° 09' 10" East, 112.87 feet to a point for corner;

Thence, North 83° 05' 30" East, 50.14 feet to a point for corner;

Thence, North 87° 23' 41" East, 184.32 feet to a point for corner;

Thence, South 89° 16' 01" East, 99.76 feet to a point for corner;

Thence, South 85° 01' 24" East, 107.06 feet to a point for corner;

Thence, South 80° 46' 47" East, 97.56 feet to a point for corner;

Thence, South 77° 38' 50" East, 136.16 feet to a point for corner;

Thence, South 77° 54' 06" East, 50.00 feet to a point for corner;

Thence, South 77° 44' 27" East, 86.47 feet to a point for corner;

Thence, South 88° 52' 34" East, 80.19 feet to a point for corner on the westerly right-of-way line of Kingsley Drive (100-foot width) as shown on Shadow Creek Ranch, North Clear Lake Loop, Regents Bay Drive and Kingsley Drive, a plat of record in Volume 24, Pages 74-77, Plat Records of Brazoria County, Texas;

Thence, with said westerly right-of-way line, South 01° 07' 26" West, 916.93 feet to a point for corner, the beginning of a curve;

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Thence, continuing with said westerly right-of-way line and it's southerly extension, 877.29 feet, along the arc of a tangent curve to the left having a radius of 2050.00 feet, a central angle of  $24^{\circ} 31' 11''$ , and a chord that bears South  $11^{\circ} 08' 10''$  East, 870.62 feet to a point for corner;

Thence, South  $23^{\circ} 23' 45''$  East, 272.67 feet to a point for corner, the beginning of a curve;

Thence, 1420.18 feet, along the arc of a tangent curve to the right having a radius of 1950.00 feet, a central angle of  $41^{\circ} 43' 42''$ , and a chord that bears South  $02^{\circ} 31' 53''$  East, 1389.00 feet to a point for corner;

Thence, South  $18^{\circ} 19' 58''$  West, 394.87 feet to a point for corner, the beginning of a curve;

Thence, 983.21 feet, along the arc of a tangent curve to the left having a radius of 2050.00 feet, a central angle of  $27^{\circ} 28' 47''$ , and a chord that bears South  $04^{\circ} 35' 34''$  West, 973.81 feet to a point for corner;

Thence, South  $09^{\circ} 08' 50''$  East, 97.96 feet to a point for corner, the beginning of a curve;

Thence, 54.98 feet, along the arc of a non-tangent curve to the left having a radius of 35.00 feet, a central angle of  $90^{\circ} 00' 00''$ , and a chord that bears North  $54^{\circ} 08' 49''$  West, 49.50 feet to a point for corner;

Thence, South  $80^{\circ} 51' 11''$  West, 333.06 feet to a point for corner, the beginning of a curve;

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Thence, 203.86 feet, along the arc of a tangent curve to the right having a radius of 1245.00 feet, a central angle of  $09^{\circ} 22' 54''$ , and a chord that bears South  $85^{\circ} 32' 37''$  West, 203.63 feet to a point for corner;

Thence, South  $04^{\circ} 31' 42''$  East, 199.42 feet to a point for corner;

Thence, South  $07^{\circ} 42' 42''$  West, 204.71 feet to a point for corner;

Thence, South  $13^{\circ} 34' 46''$  West, 68.57 feet to a point for corner;

Thence, South  $17^{\circ} 39' 41''$  West, 56.54 feet to a point for corner;

Thence, South  $18^{\circ} 42' 45''$  West, 221.62 feet to a point for corner;

Thence, South  $47^{\circ} 11' 40''$  West, 147.71 feet to a point for corner;

Thence, North  $78^{\circ} 14' 45''$  West, 302.39 feet to a point for corner;

Thence, South  $10^{\circ} 50' 48''$  West, 422.61 feet to a point for corner;

Thence, South  $03^{\circ} 15' 46''$  East, 825.00 feet to a point for corner;

Thence, South  $04^{\circ} 49' 30''$  East, 110.04 feet to a point for corner;

Thence, South  $03^{\circ} 15' 46''$  East, 102.52 feet to a point for corner;

Thence, South  $36^{\circ} 51' 26''$  West, 125.64 feet to a point for corner;

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Thence, South 03° 15' 46" East, 75.00 feet to a point for corner being on the south line of that certain called 376.681 acre tract conveyed to Pearland Investments Limited Partnership by instrument of record under File No. 99-016813 (B.C.O.R.) and File No. 1999030069 (F.B.C.O.P.R.), and being on the common survey line of aforementioned H.T. & B.R.R. Co. Survey, Section 83 and the H.T. & B.R.R. Co. Survey, Section 84, Abstract 538, Brazoria County, Texas;

Thence, with the said south line and said common survey line, South 86° 44' 14" West, 1262.88 feet to a point for corner being the southeast corner of that certain called 50.981 acre tract (described as South one-half of Davis Tract) conveyed to Ralph S. Davis, Jr. by "Agreed Final Judgement in Partition" of record under File No. 02-060920, (B.C.O.R.) and File No. 2002136052, (F.B.C.O.P.R.);

Thence, leaving said common survey line, with the common line of said 50.981 acres and said 376.681 acres, North 03° 11' 08" West, 841.61 feet to a point for corner being the southeast corner of that certain called 50.980 acre tract (described as North one-half of Davis Tract) conveyed to Pearland Investments Limited Partnership by "Agreed Final Judgement in Partition" of record under File No. 02-060920, (B.C.O.R.) and File No. 2002136052 (F.B.C.O.P.R.), and being the northeast corner of said 50.981 acre tract (described as South one-half of Davis Tract);

Thence, with the common line of said 50.981 acre tract (described as South one-half of Davis Tract) and said 50.980 acre tract (described as North one-half of Davis Tract), South 86° 44' 14" West, 1495.08 feet to a point for corner, being on the aforementioned common line of Fort Bend County and Brazoria County, Texas;

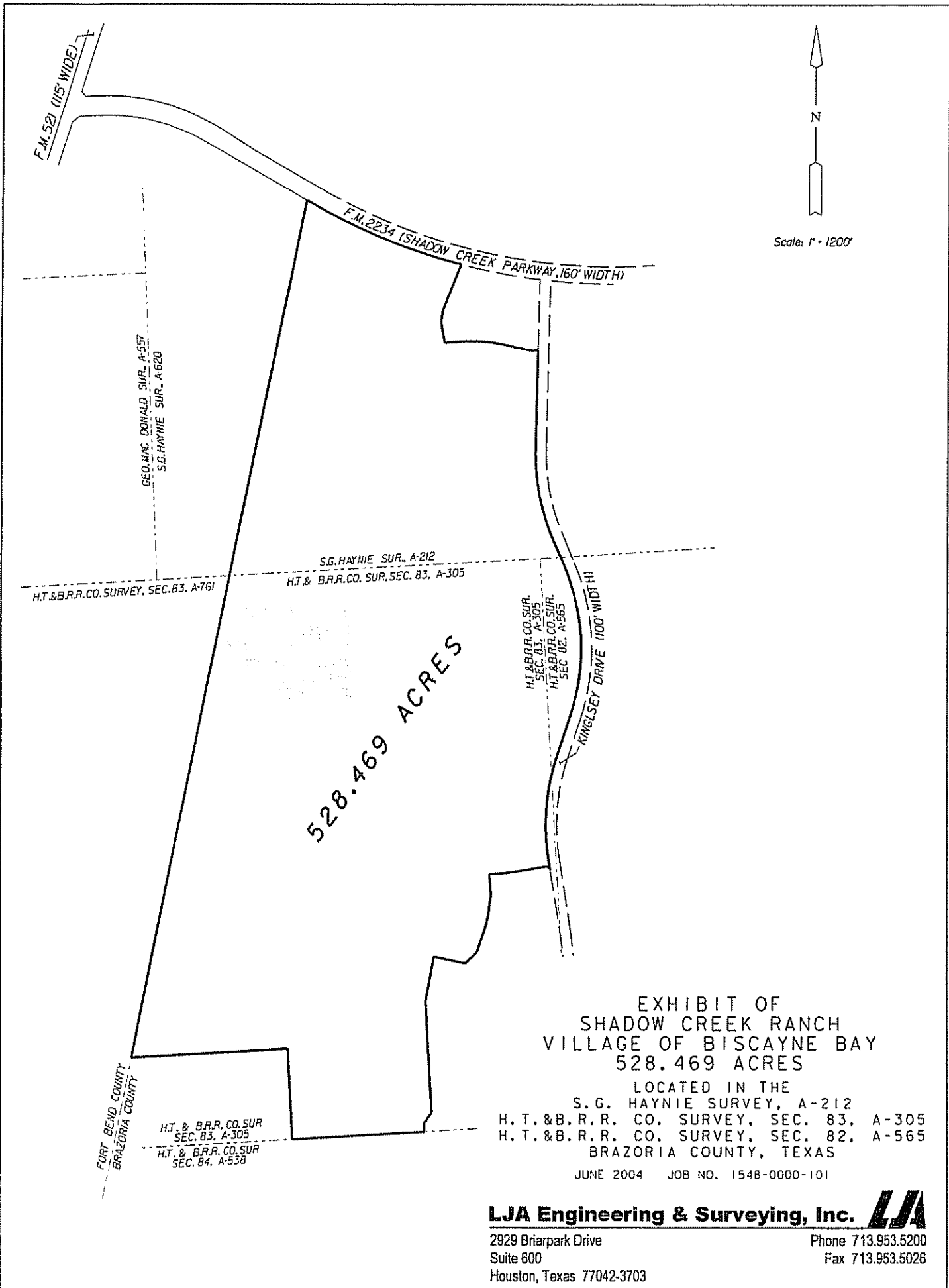
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Thence, leaving said common line, with said common county line, North  $11^{\circ} 37' 55''$  East, 4588.23 feet to a point for corner;

Thence, continuing with said common county line, North  $11^{\circ} 37' 26''$  East, 3580.24 feet to the POINT OF BEGINNING and containing 528.469 acres of land.

LJA Engineering & Surveying, Inc.




528.469 ACRES

EXHIBIT OF  
SHADOW CREEK RANCH  
VILLAGE OF BISCAYNE BAY  
528.469 ACRES

LOCATED IN THE  
S.G. HAYNIE SURVEY, A-212  
H.T. & B.R.R. CO. SURVEY, SEC. 83, A-305  
H.T. & B.R.R. CO. SURVEY, SEC. 82, A-565  
BRAZORIA COUNTY, TEXAS

JUNE 2004 JOB NO. 1548-0000-101

**LJA Engineering & Surveying, Inc.** 

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