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THIRD SUPPLEMENTAL DECLARATION (ANNEXING PHASE 4) TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS FOR THE VILLAS AT CONCORD PLACE

This Third Supplemental Declaration (Annexing Phase Four) to Declaration of Protective Covenants, Conditions and Restrictions and Easements for The Villas at Concord Place ("Third Supplemental Declaration") is made and entered into as of this 29th of January, 2007.

WITNESSETH:

WHEREAS, Centex Homes, a Nevada general partnership ("Declarant"), has previously subjected certain property to the Declaration of Protective Covenants, Conditions, Restrictions and Easements for the Villas at Concord Place recorded as Instrument Number 20050922-0114218 in the Register's Office for Davidson County, Tennessee (the "Declaration"); and

WHEREAS, pursuant to Section 8.1 of the Declaration, Declarant has the right to subject to the provisions of the Declaration all or any portion of the Additional Property (as that term is defined in the Declaration); and

WHEREAS, Declarant desires to subject to the provisions of the Declaration a portion of the Additional Property known as The Villas at Concord Place Phase Four which is more particularly described in Exhibit A and depicted on Exhibit A-1 attached hereto and incorporated herein by this reference.

NOW, THEREFORE, for and in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant, being empowered so to do hereby amends the Declaration as follows:

1. Amendment. The Declaration is amended to subject to the provisions of the Declaration a portion of the Additional Property known as The Villas at Concord Place Phase Four (formerly known as Phase Six) which is more particularly described in Exhibit A and depicted on Exhibit A-1 attached hereto. Said property, being a portion of the same property conveyed to Centex Homes by deed recorded as Instrument Number 20050415-0042177, Register's Office for Davidson County, Tennessee, is deemed submitted to the provisions of the Declaration, effective upon the date of the recordation of this instrument with the Register's Office of Davidson County, Tennessee.

2. Ratification. In all other respects, the Declaration is ratified and confirmed.

IN WITNESS WHEREOF, Centex Homes has caused this Third Supplemental Declaration to be executed as of the day and date first above written.

DECLARANT:
CENTEX HOMES, a Nevada general partnership

By: Centex Real Estate Corporation, a Nevada corporation, as its managing general partner

By: _____
Wes Patterson, President Nashville Division
Centex Real Estate Corporation

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Before me, the undersigned Notary Public in and for the County and State aforesaid, personally appeared Wes Patterson, with whom I am personally acquainted (or upon proof to me of satisfactory evidence), and acknowledged himself to be President of the Nashville Division of Centex Real Estate Corporation, a Nevada corporation, that is the Managing General Partner of Centex Homes, the within named bargainor, and that he as such President of the Nashville Division of the Managing General Partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing his name as President of the Nashville Division of the Managing General Partner.

Witness my hand and seal, this 29th day of January, 2007.

_____
Notary Public
My commission expires: Aug. 3, 2009

MARIA E. PEREZ
STATE OF TENNESSEE
NOTARY PUBLIC
WILLIAMSON COUNTY, TN
My Commission Expires August 3, 2009

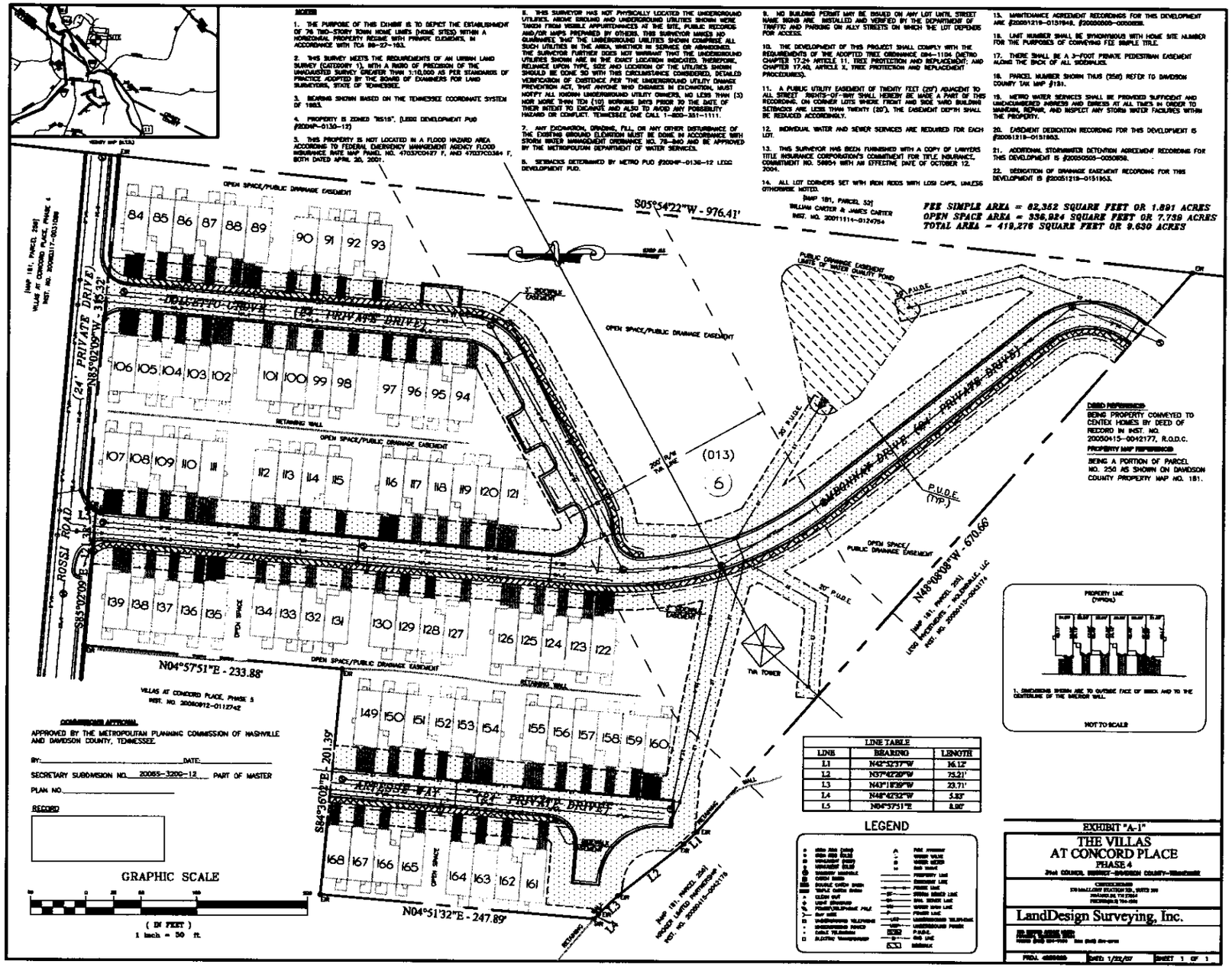

NOTES
1. THE PURPOSE OF THIS EXHIBIT IS TO DEPICT THE ESTABLISHMENT OF 76 TWO-STORY TOWN HOME LIMITS (HOME SITES) WITHIN A HORIZONTAL PROPERTY REGIME WITH PRIVATE ELEMENTS, IN ACCORDANCE WITH TCA 66-27-103.
2. THIS SURVEY MEETS THE REQUIREMENTS OF AN URBAN LAND SURVEY (CATEGORY 1), WITH A RATIO OF PRECISION OF THE UNADJUSTED SURVEY GREATER THAN 1:10,000 AS PER STANDARDS OF PRACTICE ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS, STATE OF TENNESSEE.
3. BEARING SHOWN BASED ON THE TENNESSEE COORDINATE SYSTEM OF 1983.
4. PROPERTY IS ZONED "RS10", (LEGG DEVELOPMENT PUD (#2004P-013A-12))
5. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 47037C0427 F, AND 47037C0364 F, BOTH DATED APRIL 20, 2001.
6. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GROUND AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, WHETHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON TYPE, SIZE AND LOCATION OF THE UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE PER THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT, THAT ANYONE WHO ENGAGES IN EXCAVATION, MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBILITY HAZARD OR CONFLICT. TENNESSEE ONE CALL 1-800-351-1111.
7. ANY EXCAVATION, GRADING, FILL, OR ANY OTHER DISTURBANCE OF THE EXISTING GROUND ELEVATION MUST BE DONE IN ACCORDANCE WITH STORM WATER MANAGEMENT ORDINANCE NO. 78-840 AND BE APPROVED BY THE METROPOLITAN DEPARTMENT OF WATER SERVICES.
8. SETBACKS DETERMINED BY METRO PUD #2004P-013A-12 LEGG DEVELOPMENT PUD.
9. NO BUILDING PERMIT MAY BE ISSUED ON ANY LOT UNTIL STREET NAME SIGNS ARE INSTALLED AND VERIFIED BY THE DEPARTMENT OF TRAFFIC AND PARKING ON ALLY STREETS ON WHICH THE LOT DEPENDS FOR ACCESS.
10. THE DEVELOPMENT OF THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS OF THE ADOPTED TREE ORDINANCE ORD.-110M, METRO CHAPTER 17.24 ARTICLE II, TREE PROTECTION AND REPLACEMENT; AND CHAPTER 17.40, ARTICLE X, TREE PROTECTION AND REPLACEMENT PROCEDURES).
11. A PUBLIC UTILITY EASEMENT OF TWENTY FEET (20') ADJACENT TO ALL STREET RIGHTS-OF-WAY SHALL HEREBY BE MADE A PART OF THIS RECORDING. ON CORNER LOTS WHERE FRONT AND SIDE YARD BUILDING SETBACKS ARE LESS THAN TWENTY (20'), THE EASEMENT DEPTH SHALL BE REDUCED ACCORDINGLY.
12. INDIVIDUAL WATER AND SEWER SERVICES ARE REQUIRED FOR EACH LOT.
13. THIS SURVEYOR HAS BEEN FURNISHED WITH A COPY OF LAWYERS TITLE INSURANCE CORPORATION'S COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. 56854 WITH AN EFFECTIVE DATE OF OCTOBER 12, 2004.
14. ALL LOT CORNERS SET WITH IRON RODS WITH LOSI CAPS, UNLESS OTHERWISE NOTED.
15. MAINTENANCE AGREEMENT RECORDINGS FOR THIS DEVELOPMENT ARE #20051219-0151948, #20060005-0000888.
18. UNIT NUMBER SHALL BE SYNONYMOUS WITH HOME SITE NUMBER FOR THE PURPOSES OF CONVEYING FEE SIMPLE TITLE.
17. THERE SHALL BE A 3'-FOOT PRIVATE PEDESTRIAN EASEMENT ALONG THE BACK OF ALL 30'DRIVES.
18. PARCEL NUMBER SHOWN THUS (250) REFER TO DAVIDSON COUNTY TAX MAP #181.
19. METRO WATER SERVICES SHALL BE PROVIDED SUFFICIENT AND UNENCUMBERED INGRESS AND EGRESS AT ALL TIMES IN ORDER TO MAINTAIN, REPAIR, AND INSPECT ANY STORM WATER FACILITIES WITHIN THE PROPERTY.
20. EASEMENT DEDICATION RECORDING FOR THIS DEVELOPMENT IS #20051219-0151953.
21. ADDITIONAL STORMWATER DETENTION AGREEMENT RECORDING FOR THIS DEVELOPMENT IS #20050505-0050858.
22. DEDICATION OF DRAINAGE EASEMENT RECORDING FOR THIS DEVELOPMENT IS #20051219-0151953.
FEE SIMPLE AREA = 82,362 SQUARE FEET OR 1.891 ACRES
OPEN SPACE AREA = 336,914 SQUARE FEET OR 7.739 ACRES
TOTAL AREA = 419,276 SQUARE FEET OR 9.630 ACRES
S05°54'22"W - 976.41'
N85°02'09"W - 318.32'
S85°02'09"E
N04°57'51"E - 233.88'
S84°36'02"E - 201.39'
N04°51'32"E - 247.89'
N48°08'08"W - 670.66'
(013)
6
OPEN SPACE/PUBLIC DRAINAGE EASEMENT
RETAINING WALL
ABRAHAM DRIVE (24' PRIVATE DRIVE)
ROSSI ROAD (24' PRIVATE DRIVE)
AMBROSE WAY (24' PRIVATE DRIVE)
TWIN TOWER
DEED REFERENCE
BEING PROPERTY CONVEYED TO CENTEX HOMES BY DEED OF RECORD IN INST. NO. 20050415-0042177, R.O.D.C.
PROPERTY MAP REFERENCE
BEING A PORTION OF PARCEL NO. 250 AS SHOWN ON DAVIDSON COUNTY PROPERTY MAP NO. 181.
PROPERTY LINE (TYPICAL)
1. DIMENSIONS SHOWN ARE TO OUTSIDE FACE OF BRICK AND TO THE CENTERLINE OF THE BRICKON WALL.
NOT TO SCALE
COMMISSION APPROVAL
APPROVED BY THE METROPOLITAN PLANNING COMMISSION OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE.
BY:_____DATE:_____
SECRETARY SUBDIVISION NO. 2005S-320G-12 PART OF MASTER PLAN NO._____
RECORD
GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.
LINE TABLE
LINE | BEARING | LENGTH
L1 | N42°52'37"W | 16.12'
L2 | N57°42'20"W | 75.21'
L3 | N43°11'39"W | 23.71'
L4 | N48°42'52"W | 5.83'
L5 | N04°57'51"E | 8.98'
LEGEND
EXHIBIT "A-1"
THE VILLAS AT CONCORD PLACE
PHASE 4
21st COUNCIL DISTRICT-DAVIDSON COUNTY-Nashville
LandDesign Surveying, Inc.
PROJ. 4599.00
DATE 1/22/07
SHEET 1 OF 1

EXHIBIT A

PROPERTY DESCRIPTION
PHASE FOUR (Formerly known as Phase Six)

Being a portion of the Centex Homes property (Inst. #20050415-0042177) in the 31st Council District of Nashville, Davidson County Tennessee bounded on the south by Nolensville Pike (U.S. 31A/41A), west by Chick and Babora, north by Autumn Oaks and east Carter and being further described as follows:

Beginning on iron rod (old) in the southerly right-of-way of Rossi Road, said monument being a northeasterly corner of the Villas at Concord place, Phase 5 (Inst. #20060912-0112742) and being South 82 deg. 10' West – 109.3' from the centerline intersection of Rossi Road and Ambonnay Drive.

Thence, with the southerly right-of-way of Rossi Road, for the next three calls:
South 85 deg. 02' 09" East – 121.38' to an iron rod (old)
North 04 deg. 57' 51" East – 8.00' to an iron rod (old);
South 85 deg. 02' 09" East – 315.32' to an iron rod (old) in the west line of William and James Carter (Inst. #20011114-0124754);

Thence, with the west line of Carter, South 05 deg. 54' 22" West – 976.41' to an iron rod (old) at the northeast corner of Legg Investments-Nolensville, LLC (Inst. #20050415-0042174);

Thence, with the north line of Legg Investments-Nolensville, LLC for the next five calls:
North 48 deg. 08' 08" West – 670.66' to an iron rod (old);
North 42 deg. 52' 37" West – 16.12' to an iron rod (old);
North 37 deg. 42' 20" West – 75.21' to an iron rod (old);
North 43 deg. 18' 39" West – 23.71' to an iron rod (old);
North 48 deg. 42' 32" West – 5.83' to an iron rod (old) at the southeast corner of the aforementioned Phase 5;

Thence, with the east line of Phase 5 for the next three calls:
North 04 deg. 51' 32" East – 247.89' to an iron rod (old);
South 84 deg. 36' 02" East – 201.39' to an iron rod (old);
North 04 deg. 57' 51" East – 233.88' to the POINT OF BEGINNING and containing 9.63 acres more or less according to a survey by Land Design Survey dated December 18, 2006.

Being the same property depicted as Phase Four of The Villas of Concord Place on Exhibit A-1 hereto and being a portion of the same property conveyed to Centex Homes by deed recorded as Instrument Number 20050415-0042177 in the Register's Office for Davidson County, Tennessee.