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AFTER RECORDING, RETURN TO:  
Kensington Gardens Lakewood Homeowners Association  
c/o Essex Management  
1512 Crescent Drive, Suite 112  
Carrollton, Texas 75006

**STATE OF TEXAS                   §  
  §  
COUNTY OF DALLAS           §**

**AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR KENSINGTON GARDENS LAKEWOOD  
*(City of Dallas, Dallas County, Texas)***

THIS AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KENSINGTON GARDENS LAKEWOOD (this "Supplement") is made and entered into as of July \_\_\_, 2016 by CADG SHADY SIDE, LLC, a Texas limited liability company ("Declarant").

**PRELIMINARY STATEMENTS**

A. Declarant executed that certain Declaration of Covenants, Conditions and Restrictions for Kensington Gardens Lakewood, dated September 15, 2014, recorded as Document No. 201400235242 in the Official Public Records of Dallas County, Texas (the "Declaration").

B. In accordance with Section 10.03 of the Declaration, the Declarant may, at any time and from time to time, add additional lands to the Property (as defined in the Declaration) and, upon the filing of a Supplemental Declaration (as defined in the Declaration).

C. The Declarant desires to annex the real property described on Exhibit A-1 attached hereto and incorporated herein by reference (the "Additional Land"), and executes and records this Supplement as evidence of its approval of inclusion and annexation of the Additional Land into the Property subject to the Declaration.

D. The Declarant intends that the Additional Land be considered Property for purposes of this Declaration, and that all of the terms, covenants, conditions, restrictions and obligations of the Declaration will apply to the Additional Land, and Declarant desires to amend the Declaration to include such Additional Land within the Property, subject to the terms of this Supplement.

NOW, THEREFORE, Declarant does hereby adopt this Supplement as follows:

1. Definitions. Unless otherwise defined in this Supplement, all capitalized words or terms used herein shall be defined and have the meaning set forth in the Declaration as modified and amended hereby.

2. Additional Land Subject to Declaration. In accordance with the provisions of Section 10.03 of the Declaration, the Declarant does hereby amend the Declaration to include the Additional Land as part of the Property subject to the Declaration, with such Additional Land developed or to be developed as Lots and/or Common Area, in accordance with a Plat or Plats approved or to be approved and recorded in the map/plat records of Dallas County, Texas. In this regard, the Declarant hereby adopts, establishes and imposes the covenants, conditions, restrictions, assessments, easements, liens and charges of the Declaration as they apply to Lots and Common Areas upon the Additional Land, and declares that Additional Land and all portions thereof are and shall be held, transferred, used, assigned, sold, conveyed and occupied subject to all such covenants, conditions, restrictions, assessments, easements, liens and charges as set forth in the Declaration with respect to Additional Land as set forth in this Supplement. Each Lot within the Additional Land shall be subject to the use restrictions and architectural controls as provided in the Declaration which apply to Lots and any residence or other improvement or structure constructed thereon. *Exhibit A* attached to the Declaration is hereby modified and amended to add to the land originally described on such *Exhibit A*, the Additional Land described on Exhibit A-1 attached hereto as if same was originally included in the Declaration.

3. Membership and Voting Rights. Each Owner of a Lot within the Additional Land shall automatically be, and must remain, a Member of the Association so long as such person or entity is an Owner, as provided in the Declaration.

4. Assessments. Each Owner of a Lot within the Additional Land, by acceptance of a deed or other conveyance or transfer of legal title to a Lot, whether or not it shall be so expressed in any such deed or other conveyance or transfer, shall be deemed to have covenanted and agreed to pay to the Association, or to an independent entity or agency which may be designated by the Association to receive such monies, Assessments as provided in the Declaration. An assessment lien is created and reserved in favor of the Association to secure collection of the assessments as provided in the Declaration. Until and unless otherwise determined by the Board of Directors of the Association, the annual assessment for Lots in the Additional Land shall be the same as that charged to all other Lots within the Property.

5. No Other Effect. Except as expressly amended by this Supplement solely with respect to the Additional Land, the terms and provisions of the Declaration are not amended, modified or supplemented, and the Declaration, as amended hereby solely with respect to the Additional Land, is hereby supplemented and amended by the Declarant and the Additional Land is hereby affected by and included in the Property affected by such Declaration as set forth herein.

6. Severability. Invalidation of anyone provision of this Supplement by judgment or court order shall in no way affect any other provision of this Supplement or the remainder of this

Supplement 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 Supplement a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

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

REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 21 day of July, 2016.

**DECLARANT:**

**CADG SHADY SIDE, LLC,**  
a Texas limited liability company

By: MMM Ventures, LLC,  
a Texas limited liability company,  
Its Manager

By: 2M Ventures, LLC,  
a Delaware limited liability  
company, Its Manager

By: *Mehrdad Moayed*  
Mehrdad Moayed  
Manager

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS     §

This instrument was acknowledged before me on this 21<sup>st</sup> day of July 2016, by Mehrdad Moayed, the manager of 2M Ventures, LLC, a Delaware limited liability company, the manager of MMM Ventures, LLC, a Texas limited liability company, the manager of **CADG SHADY SIDE, 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 companies, and in the capacity therein stated.

[SEAL] 

*Linda L Burkett*  
Notary Public, State of Texas

**EXHIBIT A-1**

**LEGAL DESCRIPTION OF THE ADDITIONAL LAND**

**TRACT ONE:**

Being a tract of land out of the A. T. Nanny Survey, Abstract No. 937 and situated in the City of Dallas, Dallas County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in August 2015, said tract being a portion of the same tract of land described as "Tract III" in the deed to MM Finished Lots, LLC recorded as Document No. 201300350937 in the Deed Records of Dallas County, Texas and also being a portion of Block 2/2703, Shadywood Terrace, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 25, Page 251 in the Map Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

Commencing at a disk set in the easterly right-of-way line of Lindsley Avenue for the most westerly corner of said Tract III; Thence South 45 degrees 49 minutes 31 seconds East a distance of 106.11 feet to a 1/2 set for the point of beginning of the tract described herein;

Thence North 45 degrees 59 minutes 54 seconds East a distance of 167.92 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 12 degrees 49 minutes 47 seconds West a distance of 15.53 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the southerly right-of-way line of Shadyside Lane, said rod being in a curve to the right with a radius of 108.87 feet and whose chord bears South 61 degrees 05 minutes 09 seconds East at 54.60 feet;

Thence southeasterly with said right-of-way line and said curve through a central angle of 29 minutes 02 minutes 38 seconds and an arc length of 55.19 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 87 degrees 44 minutes 32 seconds West a distance of 22.38 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 45 degrees 59 minutes 54 seconds West a distance of 152.30 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 5.00 feet and whose chord bears South 00 degrees 59 minutes 54 seconds West at 7.07 feet;

Thence southerly with said curve through a central angle of 90 degrees 00 minutes 00 seconds and an arc length of 7.85 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 44 degrees 00 minutes 06 seconds East a distance of 13.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 45 degrees 59 minutes 54 seconds West a distance of 18.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 44 degrees 00 minutes 06 seconds East seconds West a distance of 42.00 feet to the point of beginning and containing 0.116 acre of land, more or less.

**TRACT TWO:**

Being a tract of land out of the A. T. Nanny Survey, Abstract No. 937 and situated in the City of Dallas, Dallas County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in August 2015, said tract being a portion of the same tract of land described as "Tract III" in the deed to MM Finished Lots, LLC recorded as Document No. 201300350937 in the Deed Records of Dallas County, Texas and also being a portion of Block 2/2703, Shadywood Terrace, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 25, Page 251 in the Map Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

Commencing at a disk set in the southerly right-of-way line of Shadyside Lane for the most easterly corner of said Tract III, same being in a curve to the left with a radius of 1018.03 feet and whose chord bears North 49 degrees 03 minutes 28 seconds West at 220.17 feet; Thence northwesterly with said curve along an arc length of 220.60 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the point of beginning of the tract described herein;

Thence South 85 degrees 09 minutes 19 seconds West a distance of 23.26 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 45 degrees 59 minutes 54 seconds West a distance of 166.60 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 49.00 feet and whose chord bears South 81 degrees 52 minutes 18 seconds West at 57.43 feet;

Thence southwesterly with said curve through a central angle of 71 minutes 44 minutes 50 seconds and an arc length of 61.36 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence North 62 degrees 15 minutes 17 seconds West a distance of 84.24 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 49.00 feet and whose chord bears North 08 degrees 07 minutes 42 seconds West at 79.41 feet;

Thence northerly with said curve through a central angle of 108 degrees 15 minutes 10 seconds and an arc length of 92.58 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence North 45 degrees 59 minutes 54 seconds East a distance of 161.71 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 02 degrees 01 minutes 54 seconds West a distance of 20.06 feet to a 1/2 inch "MILLER 5665" capped steel rod set in said right-of-way line for the beginning of a curve to the

left with a radius of 1351.22 feet and whose chord bears South 50 degrees 48 minutes 06 seconds East at 40.01 feet;

Thence southerly with said right-of-way line and said curve through a central angle of 01 degrees 41 minutes 48 seconds and an arc length of 40.01 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 86 degrees 50 minutes 29 seconds West a distance of 22.73 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 45 degrees 59 minutes 54 seconds West a distance of 164.73 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 25.00 and whose chord bears South 08 degrees 28 minutes 25 seconds East at 40.34 feet;

Thence southerly with said curve through a central angle of 107 degrees 33 minutes 26 seconds and an arc length of 46.93 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 62 degrees 15 minutes 17 seconds East a distance of 8.50 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 27 degrees 44 minutes 43 seconds East a distance of 17.50 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 62 degrees 15 minutes 17 seconds East a distance of 55.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 27 degrees 44 minutes 43 seconds West a distance of 17.50 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 62 degrees 15 minutes 17 seconds East a distance of 20.74 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 25.00 and whose chord bears North 81 degrees 52 minutes 18 seconds East at 29.30 feet;

Thence easterly with said curve through a central angle of 71 degrees 44 minutes 50 seconds and an arc length of 31.31 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence North 45 degrees 59 minutes 54 seconds East a distance of 161.45 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 05 degrees 03 minutes 00 seconds West a distance of 18.86 feet to a 1/2 inch "MILLER 5665" capped steel rod set in said right-of-way line;

Thence South 56 degrees 05 minutes 53 seconds East with said right-of-way line a distance of 37.22 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the

right with a radius of 1018.03 and whose chord bears South 55 degrees 40 minutes 54 seconds East at 14.79 feet;

Thence southerly continuing with said right-of-way line and aid curve through a central angle of 00 degrees 49 minutes 57 seconds and an arc length of 14.79 feet to the point of beginning and containing 0.340 acre of land, more or less.

**TRACT THREE:**

Being a tract of land out of the A. T. Nanny Survey, Abstract No. 937 and situated in the City of Dallas, Dallas County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in August 2015, said tract being a portion of the same tract of land described as "Tract III" in the deed to MM Finished Lots, LLC recorded as Document No. 201300350937 in the Deed Records of Dallas County, Texas and also being a portion of Block 2/2703, Shadywood Terrace, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 25, Page 251 in the Map Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

Commencing at a disk set in the southerly right-of-way line of Shadyside Lane for the most easterly corner of said Tract III, same being in a curve to the left with a radius of 1018.03 feet and whose chord bears North 44 degrees 54 minutes 18 seconds West at 73.01 feet; Thence northwesterly with said curve along an arc length of 73.03 feet to a 1/2 set for the point of beginning of the tract described herein;

Thence South 89 degrees 31 minutes 59 seconds West a distance of 21.75 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 45 degrees 59 minutes 54 seconds West a distance of 120.03 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 44 degrees 00 minutes 06 seconds East a distance of 17.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 45 degrees 59 minutes 54 seconds West a distance of 9.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 44 degrees 00 minutes 06 seconds West a distance of 17.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 45 degrees 59 minutes 54 seconds West a distance of 10.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 44 degrees 00 minutes 06 seconds West a distance of 24.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 45 degrees 59 minutes 54 seconds East a distance of 137.34 feet to a 1/2 inch "MILLER 5665" capped steel rod set;



Thence North 01 degrees 33 minutes 58 seconds West a distance of 20.24 feet to a 1/2 inch "MILLER 5665" capped steel rod set in said right-of-way line for the beginning of a curve to the right with a radius of 1018.03 feet and whose chord bears South 48 degrees 01 minutes 53 seconds East at 54.05 feet;

Thence southeasterly with said curve through a central angle of 03 degrees 02 minutes 33 seconds and an arc length of 54.06 feet to the point of beginning and containing 0.093 acre of land, more or less.

**Filed and Recorded  
Official Public Records  
John F. Warren, County Clerk  
Dallas County, TEXAS  
07/22/2016 10:24:29 AM  
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