

SUPPLEMENT TO COMMUNITY COVENANT FOR HARPER'S PRESERVE

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

This Supplement to Community Covenant for Harper's Preserve ("Supplement") is dated this 23 day of June, 2011, by and between **K. HOVNIANIAN OF HOUSTON II, L.L.C.**, a Texas limited liability company (formerly, K. Hovnianian of Houston II, L.P.) ("K. Hovnianian") and **242, LLC**, a Texas limited liability company (the "Founder").

WITNESSETH:

WHEREAS, the Founder executed that certain Community Covenant for Harper's Preserve (the "Covenant") dated March 2, 2011, and recorded in the office of the County Clerk of Montgomery County, Texas, under Clerk's File No. 2011019619, to place certain restrictions, covenants, conditions, stipulations, liens and reservations on Harper's Preserve, Section 1, a subdivision in Montgomery County, Texas, as more particularly described therein (the "Community"); and

WHEREAS, pursuant to Chapter 4, Section 4.1 of the Covenant, as long as the Founder owns property described on Exhibits "A" or "B" to the Covenant, the Founder may expand the Community to include any additional property by recording an amendment or supplement in the County Clerk Official Records of Montgomery County, Texas, describing the additional property and declaring the intent to submit it to the terms of the Covenant, provided that such document shall also contain the written consent of the owner of such property being annexed; and

WHEREAS, as of the Effective Date (as defined below), K Hovnianian has represented to Founder and the Harper's Preserve Property Owners Association, Inc. (the "Association") that

LT1-1-2011058751-1


LT2-5

K Hovnanian is the owner of certain real property (the "Annexation Property") in Montgomery County, Texas, to-wit:

LOTS TWENTY THROUGH TWENTY FOUR (20-24), INCLUSIVE, IN BLOCK ONE (1), LOTS SEVEN THROUGH TWENTY FOUR (7-24), INCLUSIVE, IN BLOCK FOUR (4), LOTS ONE THROUGH NINETEEN (1-19), INCLUSIVE, IN BLOCK FIVE (5) AND LOTS ONE THROUGH NINE (1-9), INCLUSIVE, IN BLOCK SIX (6) OF WOOD LAKE VILLAGE, SECTION ONE (1) being a subdivision of 115.146-acres located in the Richard Vince Survey A-583, and the Montgomery County School Land Survey No. 1, A-350, recorded under County Clerk's File Number 2003146526 and under Cabinet V, Sheets 95-99 of the Montgomery County Map Records.

WHEREAS, since the Effective Date (as defined below) through the date of the Supplement hereof, K Hovnanian has represented to Founder and the Association that the Annexation Property has not been unencumbered by any lien and no subordination is required from any lien holder nor is any permission or consent from any other party required to annex the Annexation Property into the Community as defined under the Covenant so that such Covenant can hereby become legally binding on the Annexation Property without exception;

WHEREAS, K. Hovnanian and the Founder desire to expand the Community to include the Annexation Property and to encumber the Annexation Property with the covenants, conditions, restrictions, easements, charges and liens set forth in the Covenant;

NOW, THEREFORE, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration and the mutual covenants set forth herein, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

1. The Annexation Property is hereby annexed into the Community and the jurisdiction of the Association.
2. The Annexation Property shall be held, transferred, sold, conveyed, used, and occupied in accordance with and subject to those certain covenants, conditions, restrictions, easements, charges and liens set forth in the Covenant, as it may be hereafter amended, which shall run with the land and be binding

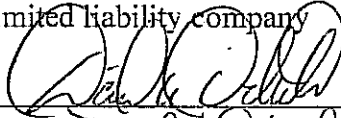
on all parties having any right, title, or interest in the Annexation Property or any part thereof, their heirs, successors, and assigns, and which shall inure to the benefit of each owner thereof.

3. K. Hovnanian, as the current owner of the Annexation Property, agrees on behalf of itself and its successors in interest to the Annexation Property to comply with all of the provisions hereof and the Covenant with respect to the Annexation Property.
4. K. Hovnanian, as the current owner of the Annexation Property, authorizes Founder and/or the Association (including its Board, Trustees, officers and/or designees) to record a fully executed original of this Supplement in the Real Property Records of Montgomery County as public notice hereof.

This Supplement to Community Covenant for Harper's Preserve is executed by the respective parties on the dates of their acknowledgments set forth hereinbelow, to be effective, however, on the 1st day of April, 2011 (the "Effective Date").

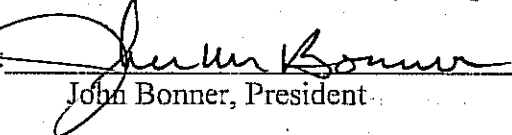
K. HOVNANIAN:

K. HOVNANIAN OF HOUSTON II, L.L.C., a
Texas limited liability company

By: 
Name: David A. Orlando
Title: v.p.

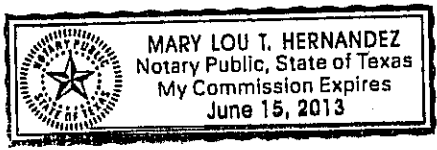
FOUNDER:

242, LLC, a Texas limited liability company

By: 
John Bonner, President

THE STATE OF TEXAS §
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COUNTY OF HARRIS §

This instrument was acknowledged before me on the 23rd day of June, 2011, by David A. Orlando the Vice President of K. Hovnanian of Houston II, L.L.C., a Texas limited liability company, on behalf of said company.



Mary Lou Hernandez
Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 22nd day of June, 2011, by John Bonner, the President of 242, LLC, a Texas limited liability company, on behalf of said company.



Kathryn Willis
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Mark K. Knop
Hoover Slovacek LLP
P. O. Box 4547
Houston, TX 77210-4547

FILED FOR RECORD

07/06/2011 2:46PM

Mark Turnbull

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number
sequence on the date and at the time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

07/06/2011



Mark Turnbull

County Clerk
Montgomery County, Texas