

SUPPLEMENT TO THE COMMUNITY CHARTER
FOR
VIRIDIAN RESIDENTIAL PROPERTIES
(VILLAGE 1B)

STATE OF TEXAS

NOTE TO CLERK: Please cross-reference to
Community Charter at Instrument No. D212104762

COUNTY OF TARRANT

This Supplement to the Community Charter for Viridian Residential Properties ("**Supplement**") is made by HC-LOBF ARLINGTON, LLC, a Texas limited liability company (the "**Founder**").

Background Statement

The Founder is the developer of the planned community located in the City of Arlington, Tarrant County, Texas, known as Viridian. The Founder executed and filed that Community Charter for Viridian Residential Properties, recorded on May 2, 2012 as Instrument No. D212104762 in the County Clerk Official Records of Tarrant County, Texas (as it may be amended and supplemented, the "**Charter**").

Pursuant to Sections 17.1 and 17.3 of the Charter, the Founder reserved the right to expand the Viridian residential community by recording one or more Supplements submitting to the terms of the Charter all or any portion of the Expansion Property described on Exhibit "B" of the Charter and/or to impose on such property additional covenants and easements, with the consent of the owner of such property (if not the Founder).

The property described on Exhibit "A" to this Supplement (the "**Additional Property**") is a portion of the Expansion Property described on Exhibit "B" to the Charter. As the owner of the Additional Property, the Founder desires to submit such the Additional Property to the terms of the Charter and to the additional covenants and easements set forth in this Supplement.

NOW, THEREFORE, the Founder hereby submits the real property described on Exhibit "A" of this Supplement to the provisions of the Charter and this Supplement, which shall hereafter encumber the title to such property and shall be binding upon all persons having any right, title, or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title, and assigns. The

Upon recording, please return to:

Howard E. Porteus, Jr.
HC LOBF Arlington, LLC
835 E. Lamar Boulevard, #235
Arlington, TX 76011

provisions of this Supplement shall also be binding upon Viridian Residential Association, Inc., a Texas nonprofit corporation (the "**Association**") in accordance with the terms of the Charter.

ARTICLE I
Definitions

The definitions set forth in Article 1 of the Charter are incorporated by reference in this Supplement.

ARTICLE II
Designation of Neighborhoods and Service Areas

Pursuant to Chapter 3 of the Charter, the Additional Property has been assigned to the Neighborhood(s) and Service Area(s), if any, designated on Exhibit "A" to this Supplement.

ARTICLE III
Additional Covenants, Restrictions and Easements

The additional covenants, restrictions and easements, if any, set forth in Exhibit "B" of this Supplement shall apply to the Additional Property and shall be binding upon the owners and occupants of Units within the Additional Property, their guests and invitees, in addition to the terms of the Charter.

ARTICLE IV
Amendment

4.1 **By the Founder.**

Until termination of the Founder Control Period, the Founder may unilaterally amend this Supplement for any purpose. Thereafter, until termination of the Development and Sale Period, the Founder may unilaterally amend this Supplement to reflect any revisions or amendments to any plats referenced on Exhibit "A," and, provided the amendment has no material adverse effect upon any right of any Owner without such Owner's consent in writing, for any other purpose.

Notwithstanding this reserved right, a revision or amendment to a plat shall not require an amendment to this Supplement so long as no property is added or excluded from the plat by the revision or amendment thereto. The Founder reserves the right to record revised, amended, or additional plats that only affect internal boundaries between lots, combine lots, or subdivide lots shown on the original plat and, so long as they do not alter the overall property submitted to the Charter by this Supplement, such revised, amended or additional plats shall not necessitate an amendment to this Supplement.

4.2 **By Owners.**

Except as otherwise specifically provided above, this Supplement may be amended only by the affirmative vote or written consent, or any combination thereof, of Owners of at least 67% of the Units within the Additional Property and the written consent of the Association, acting through its board of directors, except that any amendment to Exhibit B relating only to Units in a Service Area designated on

Exhibit A shall only require the affirmative vote or written consent, or any combination thereof, of Owners of at least 67% of the Units within the affected Service Area and the consent of the Association, acting through its Board of Directors. In addition, so long as the Founder owns any Unit within the Additional Property, the consent of the Founder shall be required to adopt any amendment hereunder.

4.3. Validity and Effective Date.

No amendment may remove, revoke, or modify any right or privilege of the Founder or without the written consent of the Founder (or the assignee of such right or privilege).

If an Owner consents to any amendment to this Supplement, it will be conclusively presumed that such Owner has the authority to consent, and no contrary provision in any Mortgage or contract between the Owner and a third party will affect the validity of such amendment.

Any amendment shall become effective upon recording, unless a later effective date is specified in the amendment. No action to challenge the validity of an amendment may be brought more than two years after its recordation. In no event shall a change of conditions or circumstances operate to amend any provisions of this Supplement.

IN WITNESS OF the foregoing, the Founder has executed this Supplement on the 20th day of March, 2013.

FOUNDER: HC LOBF ARLINGTON, LLC, a Texas limited liability company

BY: CIP HC Dev Viridian, Inc., a Texas corporation, its Managing Member

By: [Signature]
Name: Robert Kembel
Its: ~~Vice President~~ Director

STATE OF TEXAS §
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COUNTY OF TARRANT §

This instrument was acknowledged before me on this 20th day of March, 2013; by Robert Kembel, Vice President of CIP HC Dev Viridian, Inc., a Texas corporation, in its capacity as managing member of HC LOBF ARLINGTON, LLC, a Texas limited liability company, on behalf of said company, for the purposes therein expressed.

[Signature]
Notary Public, State of Texas

[Notarial Seal]

My commission expires: 11/4/2013

EXHIBIT "A"

Additional Property

Being a portion of a 48.34 acre tract of land out of the William Jenkins Survey, Abstract No. 856, and the Samuel Kephart Survey, Abstract No. 891, City of Arlington, Tarrant County, Texas, being more particularly described on that certain Replat of Viridian Village 1B, filed of record in the Office of the County Clerk of Tarrant County, Texas, on March 21st, 2013 as Instrument No. ~~D213075489~~ Plat Records, as such plat may be revised and amended (as amended, the "Village 1B Replat").

All Units within Blocks 4, 47, 48, and 49 described on the Village 1B Replat being hereby assigned to **Neighborhood No. 3;** and

All Units within Blocks 50, 51 and 52 described on the Village 1B Replat being hereby assigned to **Neighborhood No. 4.**

EXHIBIT "B"

Additional Covenants, Restrictions, and Easements

[None at this time]