



ADMINISTRATIVE AMENDMENT TO PUD 4, AMENDMENT NO. 4

ROUND ROCK, TEXAS
PURPOSE. PASSION. PROSPERITY.

November 15, 2007

Lexor Homes, Inc.
P.O. Box 202304
Austin, TX 78720-2304
Attn: Larry Magehee

Oswaldo Frias
25331 Orellano Way
Laguna Hills, CA 92653

RE: Administrative Amendment to PUD 4, Amendment No. 4 – Driveway orientation

Dear Mr. Magehee & Mr. Frias:

Further to your request for an administrative modification of the alternative driveway design in PUD 4, Amendment No. 4 (Forest Creek), we have made the following administrative amendments as provided for by Section 11.1 of the Agreement and Development Plan.

- The following shall be inserted at the end of Section 3.3 – Garages, of Exhibit “C” – Permitted Uses and Development Standards:

Map C-1A contains an alternative design which shall be allowed for use on the following lots where shared driveways are required: Lots 12 & 13, 14 & 15, 16 & 17 and 18 & 19. The location and construction of driveways shall be subject to the review and approval of the City Engineer.

The City of Round Rock may, but shall not be required to, restore or reconstruct any portion of a driveway that is disturbed due to future activity by the City to construct, reconstruct or otherwise maintain the City's wastewater services to the lots. Where the City of Round Rock elects to provide said restoration or reconstruction, the City shall determine the limits of such restoration or reconstruction, including the methods and materials to be utilized, and the City shall not be held liable to exactly match the color, surface texture, or material of that portion of the driveway not disturbed. Where the lot owner is not satisfied with any driveway restoration or repair performed by the City that the City deems satisfactory, or where the City elects not to restore or repair a driveway that is disturbed, the lot owner's sole remedy shall be to provide the driveway restoration or repair at his/her sole expense. The City of Round Rock shall not be held liable for driveways constructed over any portion of a City wastewater service. Notwithstanding the foregoing, all driveways at the lots are privately owned and the City of Round Rock has no responsibility or liability to construct, reconstruct, or otherwise maintain any portion of any driveway.

Mayor

Nyle Maxwell

Mayor Pro-tem

Alan McGraw

Councilmembers

Rufus Honeycutt

Joe Clifford

Carlos T. Salinas

Scott Rhode

Kris Whitfield

City Manager

James R. Nuse, P.E.

City Attorney

Stephan L. Sheets

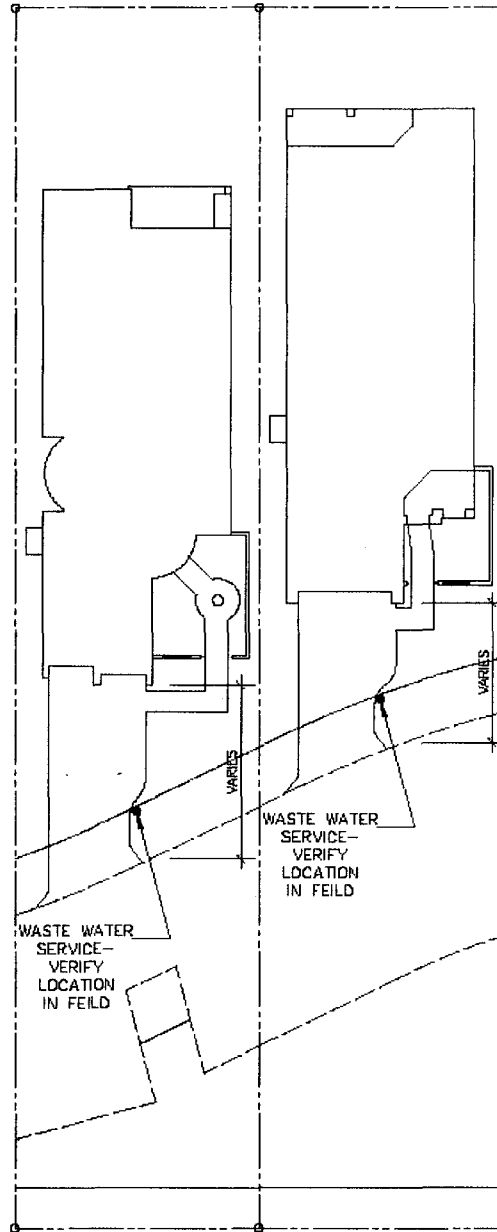
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- The following sentence shall be inserted at the end of Section 8 – Parking, of Exhibit “C” – Permitted Uses and Development Standards:

Additional guest parking spaces shall be provided within the landscape easement identified on Map C-2. The parking spaces may be located within the easement on the following lots: 12, 13, 14, 15, 16, 17, 18 and 19. A minimum of six guest parking spaces shall be provided within the landscape easement. The location of the guest parking spaces shall include protection of existing trees, as required by Section 5.3. The parking spaces within the landscape easement shall be maintained by the Homeowners Association, as required by Section 5.3. Construction of the parking spaces shall be required before a Certificate of Occupancy on the fifth lot is issued. The location and construction of the guest parking spaces shall be subject to the review and approval of the Director of Planning and the City Engineer.

- Map C-1A (on following page) shall be inserted immediately following Map C1.

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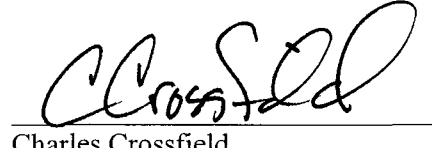
MAP C-1A
PLANS SHOWING ADDITIONAL PERMITTED DRIVEWAY CONFIGURATION

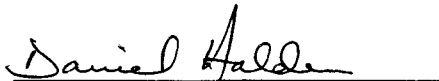
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The above amendment will allow for a minor modification to the driveway design on Lots 12 & 13, 14 & 15, 16 & 17 and 18 & 19. This modification allows for an alternative design for access. Guest parking spaces are also required.

Sincerely,


Jim Stendebach, AICP
Director of Planning


Charles Crossfield
City Attorney

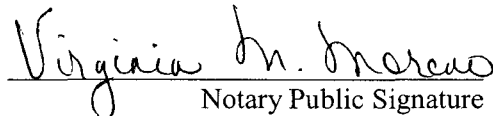

Daniel Halden, P.E.
City Engineer

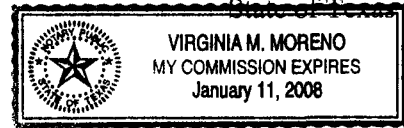
THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Jim Stendebach, known to me to be the person whose name is subscribed to the foregoing instrument as the Director of Planning of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16th day of November, 2007.


Notary Public Signature
State of Texas

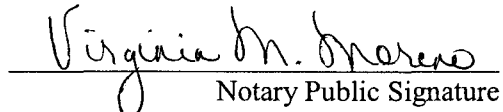


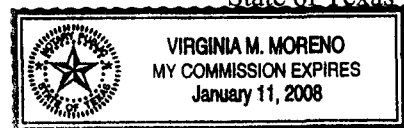
THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Daniel Halden, known to me to be the person whose name is subscribed to the foregoing instrument as the City Engineer of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16th day of November, 2007.


Notary Public Signature
State of Texas



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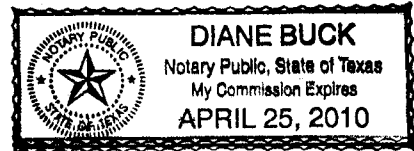
THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Charles Crossfield, known to me to be the person whose name is subscribed to the foregoing instrument as City Attorney of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 29th day of NOVEMBER, 2007.

Notary Public Signature
State of Texas



AGREED TO BY OWNER:

Lexor Homes, Inc.

By Larry Magehee
Authorized Representative

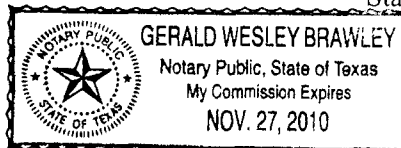
THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Larry Magehee, known to me to be the person whose name is subscribed to the foregoing instrument as the owner of Lots 13, 14, 15, 16, 17, 18, 19 and 20 of the Forest Creek, Section 23 subdivision, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 29 day of November, 2007.

Notary Public Signature
State of Texas



ADMINISTRATIVE AMENDMENT TO PUD 4, AMENDMENT NO. 4

AGREED TO BY OWNER:

Oswaldo Frias

By: *Oswaldo Frias*
Oswaldo Frias

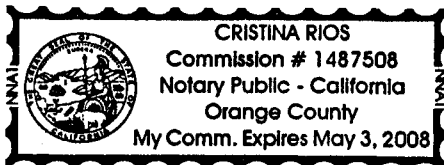
THE STATE OF CALIFORNIA §

COUNTY OF ORANGE §

BEFORE ME, the undersigned authority, on this day personally appeared Oswaldo Frias, known to me to be the person whose name is subscribed to the foregoing instrument as the owner of Lot 12 of the Forest Creek, Section 23 subdivision, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 27 day of November 2007.

Rios
Notary Public Signature
State of California



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2007099460

Nancy E. Rister

11/30/2007 04:20 PM

SURRATT \$36.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

AFTER RECORDING, PLEASE RETURN TO:
City of Round Rock
Planning Department
301 W. Bagdad Suite 210
Round Rock, TX 78664