

#45

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2002- 0168120

**NOTICE OF FILING OF DEDICATORY INSTRUMENTS
FOR
HERITAGE RANCH**

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF COLLIN §

THIS NOTICE OF FILING OF DEDICATORY INSTRUMENTS FOR HERITAGE RANCH (this "Notice") is made this 18 day of September, 2002, by The Homeowners Association of Heritage Ranch, Inc. (the "Association").

WITNESSETH:

WHEREAS, U.S. Home Corporation, a Delaware corporation (the "Declarant"), prepared and recorded an instrument entitled "First Amended and Restated Declaration of Covenants, Conditions and Restrictions for Heritage Ranch", filed of record on March 20, 2001, at Volume 04879, Page 01570 *et seq.* of the Deed Records of Collin County, Texas (the "Declaration"); and

WHEREAS, the Association is the property owners' association created by the Declarant to manage or regulate the planned development covered by the Declaration, which development is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, Section 202.006 of the Texas Property Code provides that a property owners' association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the planned development is located; and

WHEREAS, the Association desires to record the attached dedicatory instruments in the real property records of Collin County, Texas, pursuant to and in accordance with Section 202.006 of the Texas Property Code.

NOW, THEREFORE, the dedicatory instruments attached hereto as Exhibit "B" are true and correct copies of the originals and are hereby filed of record in the real property records of Collin County, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code.

IN WITNESS WHEREOF, the Association has caused this Notice to be executed by its duly authorized agent as of the date first above written.

THE HOMEOWNERS ASSOCIATION
OF HERITAGE RANCH, INC.,
a Texas non-profit corporation

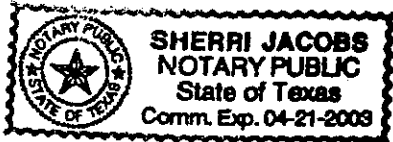
By: George A. d'Hemecourt
Its: PRESIDENT

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared GEORGE
d'HEMECOURT, PRESIDENT of The Homeowners Association of Heritage Ranch,
Inc., known to me to be the person whose name is subscribed to the foregoing instrument and
acknowledged to me that (s)he executed the same for the purposes and consideration therein
expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this 24 day of October, 2002.



Sherri Jacobs
Notary Public
State of Texas
4-21-2003
My Commission Expires

AFTER RECORDING, RETURN TO:
Lance E. Williams, Esq.
Riddle & Williams, P.C
3811 Turtle Creek Blvd, Suite 1050
Dallas, Texas 75219

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EXHIBIT "A"
LEGAL DESCRIPTION

STATE OF TEXAS)(

COUNTY OF COLLIN)(

BEING A 574.959 ACRE TRACT OF LAND SITUATED IN THE CALVIN BOLES SURVEY, ABSTRACT NO. 28, THE ROBERT FITZHUGH SURVEY, ABSTRACT NO. 317, THE R.H. LOCKE SURVEY, ABSTRACT NO. 517, AND THE GEORGE PILANT SURVEY, ABSTRACT NO. 691, COLLIN COUNTY, TEXAS, AND BEING ALL OF A CALLED 89 ACRE TRACT OF LAND CONVEYED TO WINNIE WATSON RASOR BY DEED RECORDED IN VOLUME 559, PAGE 557, DEED RECORDS, COLLIN COUNTY, TEXAS, BEING PART OF A 600.205 ACRE TRACT OF LAND CONVEYED AS SECOND TRACT TO CARL J. THOMSEN BY DEED RECORDED IN VOLUME 713, PAGE 86, DEED RECORDS, COLLIN COUNTY, TEXAS, AND ALL OF A CALLED 130.90 ACRE TRACT OF LAND, CONVEYED TO MICHAEL J PISTERZI AND WIFE, MARGUERITE M. PISTERZI BY DEED RECORDED IN COUNTY CLERKS FILE NO. 98-0058646, REAL PROPERTY RECORDS, COLLIN COUNTY, TEXAS, SAID 574.959 ACRE TRACT, WITH BEARING BASIS OF GEODETIC NORTH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER & BURGESS" SET FOR CORNER AT THE EASTERLY NORTHEAST CORNER SAID THOMSEN TRACT AND NOW BEING THE NORTHEAST CORNER OF FAIRVIEW FARMS, SECOND SECTION, ACCORDING TO THE PLAT RECORDED IN CABINET C, SLIDE 124, MAP RECORDS, COLLIN COUNTY, TEXAS, FROM WHICH AN OLD WOOD FENCE CORNER POST BEARS SOUTH 02 DEGREES 10 MINUTES 23 SECONDS WEST A DISTANCE OF 186.7 FEET, SAID POINT BEING IN THE EAST BOUNDARY LINE OF 44.58 ACRE TRACT OF LAND CONVEYED BY DEED TO CHARLES W. STOVER, RECORDED IN VOLUME 794, PAGE 590, REAL PROPERTY RECORDS, COLLIN COUNTY, TEXAS, AND BEING AT THE ELL CORNER OF COUNTY ROAD NO. 266 ALSO KNOWN AS STACY ROAD;

THENCE, SOUTH 89 DEGREES 51 MINUTES 10 SECONDS WEST, ALONG THE NORTH BOUNDARY LINE OF SAID THOMSEN TRACT AND FAIRVIEW FARMS, SECOND SECTION, AND WITH THE GENERAL DIRECTION OF THE CENTERLINE OF SAID ROAD, A DISTANCE OF 668.00 FEET TO A P.K. NAIL WITH SHINER SET FOR CORNER, SAID POINT BEING AT THE NORTHEAST INTERIOR ELL CORNER OF SAID THOMSEN TRACT;

THENCE, NORTH 89 DEGREES 51 MINUTES 17 SECONDS WEST, ALONG THE NORTH

LINE OF SAID FAIRVIEW FARMS, SECOND SECTION, AND WITH THE GENERAL DIRECTION OF THE CENTERLINE OF SAID ROAD, A DISTANCE OF 1698.31 FEET TO A P.K. NAIL FOUND FOR CORNER;

THENCE, NORTH 89 DEGREES 18 MINUTES 03 SECONDS WEST, ALONG THE NORTH LINE OF SAID FAIRVIEW FARMS, SECOND SECTION, AND THE NORTH LINE OF FAIRVIEW FARMS, FIRST SECTION, ACCORDING TO THE PLAT RECORDED IN CABINET C, SLIDE 126, MAP RECORDS, COLLIN COUNTY, TEXAS, AND WITH THE GENERAL DIRECTION OF THE CENTERLINE OF SAID ROAD A DISTANCE OF 962.36 FEET TO A P.K. NAIL FOUND FOR CORNER;

THENCE, NORTH 00 DEGREES 19 MINUTES 41 SECONDS EAST, ALONG THE WEST LINE OF AFORESAID THOMSEN TRACT, A DISTANCE OF 725.47 FEET TO 3/8" IRON ROD FOUND FOR CORNER;

THENCE, NORTH 00 DEGREES 26 MINUTES 01 SECONDS EAST, CONTINUING ALONG THE WEST LINE OF AFORESAID THOMSEN TRACT, A DISTANCE OF 1545.94 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "SMLS" FOUND FOR CORNER;

THENCE, NORTH 00 DEGREES 59 MINUTES 49 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 633.72 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "SMLS" FOUND FOR CORNER;

THENCE, NORTH 00 DEGREES 03 MINUTES 39 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 1551.61 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "SMLS" FOUND FOR CORNER;

THENCE, NORTH 05 DEGREES 37 MINUTES 51 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 80.97 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "SMLS" FOUND FOR CORNER;

THENCE, NORTH 01 DEGREES 54 MINUTES 14 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 534.14 FEET TO A 14" DIAMETER BOIS-D-ARC TREE FOUND FOR CORNER;

THENCE, NORTH 18 DEGREES 47 MINUTES 34 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 135.19 FEET TO A POINT FOR CORNER IN THE CENTERLINE OF SLOAN CREEK;

THENCE, ALONG THE CENTERLINE CREEK MEANDERS OF SAID SLOAN CREEK AND THE NORTH LINE OF SAID THOMSEN TRACT, THE FOLLOWING EIGHTEEN

COURSES AND DISTANCES:

NORTH 67 DEGREES 02 MINUTES 51 SECONDS EAST, A DISTANCE OF 297.37 FEET TO A POINT FOR CORNER;

NORTH 55 DEGREES 06 MINUTES 03 SECONDS EAST, A DISTANCE OF 168.36 FEET TO A POINT FOR CORNER;

NORTH 75 DEGREES 38 MINUTES 45 SECONDS EAST, A DISTANCE OF 113.45 FEET TO A POINT FOR CORNER;

NORTH 56 DEGREES 21 MINUTES 50 SECONDS EAST, A DISTANCE OF 95.98 FEET TO A POINT FOR CORNER;

SOUTH 79 DEGREES 58 MINUTES 05 SECONDS EAST, A DISTANCE OF 100.41 FEET TO A POINT FOR CORNER; ---

NORTH 65 DEGREES 31 MINUTES 16 SECONDS EAST, A DISTANCE OF 128.57 FEET TO A POINT FOR CORNER;

NORTH 81 DEGREES 13 MINUTES 40 SECONDS EAST, A DISTANCE OF 454.54 FEET TO A POINT FOR CORNER;

NORTH 65 DEGREES 27 MINUTES 16 SECONDS EAST, A DISTANCE OF 109.53 FEET TO A POINT FOR CORNER;

SOUTH 70 DEGREES 34 MINUTES 02 SECONDS EAST, A DISTANCE OF 123.68 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 37 MINUTES 03 SECONDS EAST, A DISTANCE OF 134.63 FEET TO A POINT FOR CORNER;

NORTH 76 DEGREES 22 MINUTES 12 SECONDS EAST, A DISTANCE OF 229.92 FEET TO A POINT FOR CORNER;

SOUTH 70 DEGREES 12 MINUTES 56 SECONDS EAST, A DISTANCE OF 193.49 FEET TO A POINT FOR CORNER;

NORTH 43 DEGREES 56 MINUTES 51 SECONDS EAST, A DISTANCE OF 119.60 FEET TO A POINT FOR CORNER;

SOUTH 88 DEGREES 01 MINUTES 40 SECONDS EAST, A DISTANCE OF 121.17

FEET TO A POINT FOR CORNER;

NORTH 43 DEGREES 40 MINUTES 46 SECONDS EAST, A DISTANCE OF 128.64 FEET TO A POINT FOR CORNER;

NORTH 80 DEGREES 23 MINUTES 07 SECONDS EAST, A DISTANCE OF 222.05 FEET TO A POINT FOR CORNER;

NORTH 68 DEGREES 04 MINUTES 30 SECONDS EAST, A DISTANCE OF 85.86 FEET TO A POINT FOR CORNER;

NORTH 89 DEGREES 13 MINUTES 17 SECONDS EAST, A DISTANCE OF 114.30 FEET TO A POINT FOR CORNER, SAID POINT BEING THE NORTHEAST CORNER OF SAID THOMSEN TRACT;

THENCE, SOUTH 01 DEGREES 02 MINUTES 53 SECONDS WEST, ALONG THE EAST LINE OF SAID THOMSEN TRACT, A DISTANCE OF 21.30 FEET TO A 4" DIAMETER STEEL POST FOUND FOR CORNER ON THE SOUTH BANK OF SAID SLOAN CREEK, SAID POINT BEING THE NORTHWEST CORNER OF AFORESAID RASOR TRACT;

NORTH 72 DEGREES 47 MINUTES 14 SECONDS EAST, ALONG SAID SOUTH BANK AND THE NORTH LINE OF SAID RASOR TRACT, A DISTANCE OF 150.08 FEET TO A POINT FOR CORNER;

NORTH 84 DEGREES 36 MINUTES 29 SECONDS EAST, CONTINUING ALONG SAID SOUTH BANK AND SAID NORTH LINE, A DISTANCE OF 115.19 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 48 DEGREES 56 MINUTES 10 SECONDS EAST, CONTINUING ALONG THE SAID SOUTH BANK OF SLOAN CREEK AND PASSING A SOUTHERLY CORNER OF A 20.816 ACRE TRACT OF LAND CONVEYED BY DEED TO TRON E. CARTER, ET.UX. RECORDED IN COUNTY CLERK'S FILE NO.93-002127, REAL PROPERTY RECORDS, COLLIN COUNTY, TEXAS, AT 12.45 FEET AND CONTINUING IN ALL ALONG THE SOUTH BOUNDARY LINE OF SAID CARTER TRACT A TOTAL DISTANCE OF 161.55 FEET TO POINT FOR CORNER, SAID POINT BEING A SOUTH PROPERTY CORNER OF SAID CARTER TRACT;

THENCE, ALONG THE SAID SOUTH LINE OF CARTER TRACT AND SAID SOUTH BANK, THE FOLLOWING FOUR COURSES AND DISTANCES:

SOUTH 58 DEGREES 07 MINUTES 43 SECONDS EAST, A DISTANCE OF 96.48 FEET TO A POINT FOR CORNER;

SOUTH 60 DEGREES 06 MINUTES 06 SECONDS EAST, A DISTANCE OF 81.62 FEET TO A POINT FOR CORNER;

SOUTH 43 DEGREES 14 MINUTES 44 SECONDS EAST, A DISTANCE OF 289.98 FEET TO A POINT FOR CORNER;

SOUTH 87 DEGREES 13 MINUTES 35 SECONDS EAST, A DISTANCE OF 69.33 FEET TO WOOD FENCE POST FOUND FOR CORNER, SAID POINT BEING THE SOUTH EAST CORNER OF SAID CARTER TRACT, IN THE WEST LINE OF AFORESAID PISTERZI TRACT AND BEING IN THE EAST LINE OF AFORESAID PILANT SURVEY;

THENCE, NORTH 02 DEGREES 58 MINUTES 44 SECONDS EAST, ALONG THE EAST LINE OF SAID CARTER TRACT AND THE WEST LINE OF SAID PISTERZI TRACT, A DISTANCE OF 1036.80 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE NORTHEAST CORNER OF SAID CARTER TRACT AND BEING THE ... SOUTHEAST CORNER OF TRACT OF LAND CONVEYED BY DEED TO TRON E. CARTER, ET UX., RECORDED IN VOLUME 3143, PAGE 127, DEED RECORDS COLLIN COUNTY, TEXAS;

THENCE, NORTH 02 DEGREES 21 MINUTES 52 SECONDS EAST, ALONG THE EAST LINE OF SAID CARTER TRACT AND THE SAID WEST LINE OF PISTERZI TRACT, A DISTANCE OF 300.14 FEET TO A FENCE CORNER POST FOUND FOR CORNER, SAID POINT BEING THE NORTHEAST CORNER OF SAID CARTER TRACT AND THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED BY DEED TO RAYMOND C. BURKE, ET UX., RECORDED IN VOLUME 1064, PAGE 126, DEED RECORDS, COLLIN COUNTY, TEXAS;

THENCE, ALONG THE COMMON LINE OF SAID PISTERZI TRACT AND SAID BURKE TRACT THE FOLLOWING THREE COURSES AND DISTANCES:

NORTH 01 DEGREES 25 MINUTES 16 SECONDS EAST, A DISTANCE OF 384.42 FEET TO WOOD FENCE CORNER POST FOUND FOR CORNER;

NORTH 56 DEGREES 45 MINUTES 07 SECONDS WEST, A DISTANCE OF 423.02 FEET TO A 33" DIAMETER OAK TREE FOUND FOR CORNER;

NORTH 01 DEGREES 28 MINUTES 30 SECONDS EAST, A DISTANCE OF 576.84 FEET TO A 24" DIAMETER ELM TREE FOUND FOR CORNER;

THENCE, NORTH 38 DEGREES 21 MINUTES 25 SECONDS EAST, PASSING AT 20.5 FEET A 14" DIAMETER ELM TREE FOUND FOR WITNESS AND CONTINUING IN ALL

A TOTAL DISTANCE OF 51.18 FEET TO POINT FOR CORNER IN THE CENTERLINE OF WILSON CREEK;

THENCE, SOUTH 73 DEGREES 07 MINUTES 45 SECONDS EAST, DEPARTING SAID CENTERLINE, A DISTANCE OF 518.25 FEET TO A POINT FOR CORNER IN THE SAID CENTERLINE OF SAID WILSON CREEK;

THENCE, ALONG THE SAID CENTERLINE OF WILSON CREEK AND THE NORTHERLY NORTHEAST LINE OF SAID PISTERZI TRACT, THE FOLLOWING FOUR COURSES AND DISTANCES:

SOUTH 69 DEGREES 34 MINUTES 57 SECONDS WEST, A DISTANCE OF 168.59 FEET TO A POINT FOR CORNER;

SOUTH 02 DEGREES 15 MINUTES 33 SECONDS WEST, A DISTANCE OF 192.37 FEET TO A POINT FOR CORNER; ---

SOUTH 02 DEGREES 49 MINUTES 25 SECONDS EAST, A DISTANCE OF 138.98 FEET TO A POINT FOR CORNER;

SOUTH 43 DEGREES 38 MINUTES 22 SECONDS EAST, A DISTANCE OF 120.36 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 87 DEGREES 36 MINUTES 14 SECONDS EAST, DEPARTING SAID CENTERLINE AND ALONG THE NORTH LINE OF SAID PISTERZI TRACT AND THE SOUTH LINE OF A TRACT OF LAND CONVEYED BY DEED TO ROBERT LANGE, ET AL, RECORDED IN VOLUME 2952, PAGE 93 1, DEED RECORDS, COLLIN COUNTY, TEXAS, A DISTANCE OF 685.18 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LANGE TRACT, A NORTHEASTERLY CORNER OF SAID PISTERZI TRACT AND THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED BY DEED TO ROYCE E AYCOCK, RECORDED IN VOLUME 2588, PAGE 759, DEED RECORDS, COLLIN COUNTY, TEXAS;

THENCE, ALONG THE COMMON LINE OF SAID PISTERZI TRACT AND SAID AYCOCK TRACT, THE FOLLOWING TWO COURSES AND DISTANCES:

SOUTH 00 DEGREES 18 MINUTES 12 SECONDS WEST, A DISTANCE OF 164.62 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

NORTH 81 DEGREES 50 MINUTES 16 SECONDS EAST, A DISTANCE OF 334.07 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE, SOUTH 09 DEGREES 31 MINUTES 52 SECONDS EAST; WITH THE WESTERN EDGE OF COUNTY ROAD 317, A DISTANCE OF 477.96 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 13 DEGREES 36 MINUTES 47 SECONDS EAST, CONTINUING ALONG SAID WESTERN EDGE, A DISTANCE OF 359.04 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED BY DEED TO MYRTLE C. WOODY, TRUST, RECORDED IN COUNTY CLERKS FILE NO. 94-0094815, REAL PROPERTY RECORDS, COLLIN COUNTY, TEXAS;

THENCE, SOUTH 06 DEGREES 25 MINUTES 08 SECONDS WEST, ALONG THE COMMON LINE OF SAID PISTERZI TRACT AND SAID WOODY TRACT AND WITH THE GENERAL DIRECTION OF COUNTY ROAD 323, A DISTANCE OF 790.50 FEET TO A POINT FOR CORNER AT THE CENTERLINE INTERSECTION OF WILSON CREEK AND AN IRON BRIDGE OVER SAID CREEK; ---

THENCE, ALONG THE CENTERLINE MEANDERS OF SAID WILSON CREEK AND BEING THE COMMON LINE BETWEEN SAID PISTERZI TRACT AND SAID WOODY TRACT, THE FOLLOWING THIRTY ONE COURSES AND DISTANCES:

NORTH 85 DEGREES 08 MINUTES 52 SECONDS EAST, A DISTANCE OF 54.74 FEET TO A POINT FOR CORNER;

NORTH 34 DEGREES 42 MINUTES 50 SECONDS EAST, A DISTANCE OF 156.59 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 30 MINUTES 19 SECONDS EAST, A DISTANCE OF 53.25 FEET TO A POINT FOR CORNER;

SOUTH 46 DEGREES 41 MINUTES 24 SECONDS EAST, A DISTANCE OF 79.51 FEET TO A POINT FOR CORNER;

SOUTH 18 DEGREES 37 MINUTES 20 SECONDS EAST, A DISTANCE OF 106.19 FEET TO A POINT FOR CORNER;

SOUTH 05 DEGREES 31 MINUTES 47 SECONDS WEST, A DISTANCE OF 68.47 FEET TO A POINT FOR CORNER;

SOUTH 42 DEGREES 40 MINUTES 09 SECONDS WEST, A DISTANCE OF 279.05 FEET TO A POINT FOR CORNER;

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SOUTH 41 DEGREES 42 MINUTES 32 SECONDS EAST, A DISTANCE OF 107.97 FEET TO A POINT FOR CORNER;

NORTH 82 DEGREES 32 MINUTES 55 SECONDS EAST, A DISTANCE OF 79.11 FEET TO A POINT FOR CORNER;

SOUTH 69 DEGREES 00 MINUTES 20 SECONDS EAST, A DISTANCE OF 85.47 FEET TO A POINT FOR CORNER;

SOUTH 82 DEGREES 16 MINUTES 04 SECONDS EAST, A DISTANCE OF 157.79 FEET TO A POINT FOR CORNER;

SOUTH 36 DEGREES 10 MINUTES 07 SECONDS EAST, A DISTANCE OF 47.15 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 57 MINUTES 54 SECONDS WEST, A DISTANCE OF 90.88 FEET TO A POINT FOR CORNER;

SOUTH 27 DEGREES 54 MINUTES 23 SECONDS WEST, A DISTANCE OF 28.17 FEET TO A POINT FOR CORNER;

SOUTH 06 DEGREES 07 MINUTES 36 SECONDS WEST, A DISTANCE OF 54.29 FEET TO A POINT FOR CORNER;

SOUTH 26 DEGREES 23 MINUTES 02 SECONDS EAST, A DISTANCE OF 49.44 FEET TO A POINT FOR CORNER;

SOUTH 61 DEGREES 00 MINUTES 27 SECONDS EAST, A DISTANCE OF 38.51 FEET TO A POINT FOR CORNER;

SOUTH 83 DEGREES 13 MINUTES 18 SECONDS EAST, A DISTANCE OF 120.95 FEET TO A POINT FOR CORNER;

SOUTH 54 DEGREES 29 MINUTES 49 SECONDS EAST, A DISTANCE OF 62.69 FEET TO A POINT FOR CORNER;

SOUTH 34 DEGREES 00 MINUTES 43 SECONDS EAST, A DISTANCE OF 74.63 FEET TO A POINT FOR CORNER;

SOUTH 25 DEGREES 15 MINUTES 09 SECONDS WEST, A DISTANCE OF 78.11 FEET TO A POINT FOR CORNER;

SOUTH 47 DEGREES 08 MINUTES 26 SECONDS WEST, A DISTANCE OF 38.01 FEET TO A POINT FOR CORNER;

SOUTH 23 DEGREES 34 MINUTES 58 SECONDS WEST, A DISTANCE OF 65.90 FEET TO A POINT FOR CORNER;

SOUTH 02 DEGREES 46 MINUTES 49 SECONDS WEST, A DISTANCE OF 75.49 FEET TO A POINT FOR CORNER;

SOUTH 16 DEGREES 51 MINUTES 52 SECONDS EAST, A DISTANCE OF 88.35 FEET TO A POINT FOR CORNER;

SOUTH 35 DEGREES 25 MINUTES 36 SECONDS EAST, A DISTANCE OF 63.24 FEET TO A POINT FOR CORNER;

SOUTH 62 DEGREES 11 MINUTES 35 SECONDS EAST, A DISTANCE OF 187.53 FEET TO A POINT FOR CORNER;

SOUTH 33 DEGREES 51 MINUTES 42 SECONDS EAST, A DISTANCE OF 44.28 FEET TO A POINT FOR CORNER;

SOUTH 19 DEGREES 42 MINUTES 35 SECONDS EAST, A DISTANCE OF 115.09 FEET TO A POINT FOR CORNER;

SOUTH 52 DEGREES 43 MINUTES 38 SECONDS EAST, A DISTANCE OF 65.01 FEET TO A POINT FOR CORNER;

SOUTH 39 DEGREES 50 MINUTES 38 SECONDS EAST, A DISTANCE OF 93.00 FEET TO A POINT FOR CORNER SAID POINT THE EASTERLY NORTHEAST CORNER OF SAID PISTERZI TRACT, THE SOUTHEAST CORNER OF SAID WOODY TRACT AND BEING ON THE WEST LINE OF A TRACT OF LAND CONVEYED BY DEED TO SCOTT M. EUSTICE, RECORDED IN COUNTY CLERKS FILE NO. 97-00270723, REAL PROPERTY RECORDS, COLLIN COUNTY, TEXAS;

THENCE, SOUTH 03 DEGREES 51 MINUTES 42 SECONDS WEST, ALONG THE EAST LINE OF SAID PISTERZI TRACT AND ALONG SAID WEST LINE, A DISTANCE OF 296.34 FEET TO A 5/8" IRON ROD WITH RED PLASTIC CAP FOUND FOR CORNER SAID POINT BEING THE SOUTHEAST CORNER OF SAID PISTERZI TRACT AND THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED BY DEED TO 4-J STAR INVESTMENTS, INC RECORDED IN COUNTY CLERK'S FILE NO. 96-0090016, REAL PROPERTY RECORDS, COLLIN COUNTY, TEXAS;

THENCE, NORTH 88 DEGREES 36 MINUTES 05 SECONDS WEST, ALONG THE SOUTH LINE OF SAID PISTERZI TRACT AND THE NORTH LINE OF SAID 4-J STAR INVESTMENTS TRACT, A DISTANCE OF 2398.41 FEET TO A 1/2 IRON ROD WITH RED PLASTIC CAP FOUND FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF SAID PISTERZI TRACT AND THE NORTHWEST CORNER OF SAID 4-J STAR INVESTMENTS TRACT AND BEING IN THE EAST LINE OF AFORESAID RASOR TRACT;

THENCE, SOUTH 01 DEGREES 07 MINUTES 50 SECONDS EAST, ALONG THE EAST LINE OF SAID RASOR TRACT AND THE WEST LINE OF SAID 4-J STAR INVESTMENTS TRACT, WITH THE EAST LINE OF AFORESAID FITZHUGH SURVEY, AND WITH THE GENERAL DIRECTION OF SAID BARBED WIRE FENCE UNTIL CROSSING A CREEK AT 230 FEET AND CONTINUING IN ALL A TOTAL DISTANCE OF 725.70 FEET TO BOIS D' ARC FENCE POST AT THE INTERSECTION OF A EAST WEST CROSS FENCE AND THE TERMINATION OF A SOUTH TO NORTH FENCE FOUND FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF SAID 4-J STAR INVESTMENTS, INC. TRACT;

THENCE, SOUTH 01 DEGREES 50 MINUTES 07 SECONDS WEST, CONTINUING WITH SAID EAST LINE OF SURVEY, A DISTANCE OF 1620.95 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE NORTHWEST CORNER AFORESAID STOVER TRACT AND BEING AT THE ELL CORNER OF AFORESAID COUNTY ROAD NO. 266;

THENCE, SOUTH 01 DEGREES 56 MINUTES 39 SECONDS WEST, ALONG THE WEST BOUNDARY LINE OF SAID STOVER TRACT, CONTINUING WITH THE EAST LINE OF SAID SURVEY, AND WITH THE CENTERLINE OF SAID COUNTY ROAD, A DISTANCE OF 1666.65 FEET TO THE POINT OF BEGINNING AND CONTAINING 574.959 ACRES OF LAND, MORE OR LESS.

EXHIBIT "B"

DEDICATORY INSTRUMENTS

1. Assessment Collection Policy (adopted 5-29-01)
2. Application of Payments Policy (adopted 5-29-01)

RESOLUTION

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HOMEOWNERS ASSOCIATION OF HERITAGE RANCH, INC.

Assessment Collection Policy

Pursuant to the provisions of Article 9.10 of the Texas Business Corporation Act, as amended, the undersigned, being all the Directors of the Homeowners Association of Heritage Ranch, Inc. (the "Association"), hereby agree to the actions set forth below:

WHEREAS, Article III, Section C, of the BYLAWS of the Homeowners Association of Heritage Ranch grants the Board of Directors the authority and power to fix and collect charges and assessments and

WHEREAS, Article V of the First Amended and Restated DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS for Heritage Ranch empowers the Board of Directors of the Association to collect all assessments and enforce all penalties for non-payment, and

WHEREAS, it is the intent of the Board of Directors of the Association to establish orderly procedures for the collection of assessments levied against Lots that remain unpaid beyond the prescribed due dates;

NOW THEREFORE, IT IS RESOLVED that the following procedures and practices are established for the collection of assessments owing and to become owing by Owners in the Property, to be known as the "Assessment Collection Policy" for the Association in the discharge of its responsibilities regarding collection of assessments levied against Lots:

1. Due Date - Assessments are payable quarterly, due January 1, April 1, October 1, and July 1.
2. Delinquency Date - Assessments are delinquent thirty (30) days past due date.
3. Late Notice - No sooner than thirty (30) days beyond the due date, the Association will send a late notice to the Owner, at Owner's expense, stating an assessment is outstanding, including in the notice the address and telephone number of a person who may be contacted regarding payment of the assessment.
4. Late Fees and handling charges - Any assessment not paid at the expiration of thirty (30) days after the due date shall bear interest at the rate of 18% and accrue an automatic \$25.00 late fee (notice of same sent at time of billing). Any handling charges (including attorney's fees) incurred for the collection of past due assessments will be added to the amount due

Collection Policy
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- 5. Notice of Delinquency - No sooner than sixty (60) days beyond the due date, the Association will send a Notice of Delinquency to the Owner, by certified and first-class mail, stating interest and all fees during this collection process shall become the responsibility of the of the Unit Owner.

- 6. Demand Letter - No sooner than ninety (90) days beyond the due date, the account will be referred to an attorney for collection, and legal fees incurred will be added to the account. This letter will include the amount of the unpaid assessments, the accrued interest and the handling charges incurred.

- 7. Lien to Secure Payment - To secure payment of any assessment the Association reserves the right to record a lien against an individual lot, and seek whatever other remedy is available at law or in equity, including, without limitation, non-

IN WITNESS WHEREOF, this policy was adopted by unanimous resolution of the Board of Directors to be effective as of the 29th day of May, 2001.



Director



Director

Director

RESOLUTION

HOMEOWNERS ASSOCIATION OF HERITAGE RANCH, INC.

Application of Payments Policy

WHEREAS, Homeowners Association of Heritage Ranch, Inc. (the "Association") has the authority to levy and collect assessments against Owners of the Association; and

WHEREAS, the Board of Directors (the "Board") finds there is a need to establish orderly procedures for the application of payments made by Owners to the Association for regular annual assessments, special assessments, and related charges such as interest, late charges, and attorney's fees and costs, in order to facilitate the collection of delinquent assessments and to promote the uniform treatment of Owners in the collection of such assessments.

NOW, THEREFORE, IT IS RESOLVED that the following procedures and practices are established for the application of payments made by Owners and the same are to be known as the "Application of Payments Policy" for the Association in the discharge of its responsibilities regarding the collection of assessments against Owners and their Lots:

1. Application of Funds Received. All monies received by the Association by an Owner will be applied to amounts outstanding to the extent of and in the following order [unless an Owner has placed a restrictive notation on the check or other form of payment or in correspondence accompanying the payment that a payment is to be applied in another specified manner]:
 - A. First, to fines;
 - B. Next, to attorney's fees and related collection costs incurred by or on behalf of the Association;
 - C. Next, to the handling charges and returned check fees incurred by the Association;
 - D. Next, to late charges;
 - E. Next, to accrued interest;
 - F. Next, to delinquent special assessments;
 - G. Next, to delinquent regular annual assessments;

- H. Next to outstanding special assessments, though same may not then be delinquent;
- I. Last, to outstanding regular annual assessments, though same may not then be delinquent.

IT IS FURTHER RESOLVED that this Application of Payments Policy replaces and supersedes in all respects all prior policies and resolutions with respect to the application of payments made by Owners to the Association and is effective upon adoption hereof, to remain in force and effect until revoked, modified, or amended.

IN WITNESS WHEREOF, this policy was adopted by unanimous resolution of the Board of Directors to be effective as of the 29th day of MAY, 2001.



Director



Director



Director

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SEP 20 2002

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW
(THE STATE OF TEXAS) (COUNTY OF COLLIN)
I hereby certify that this instrument was FILED in the File Number Sequence on the date and the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Collin County, Texas on

NOV 13 2002

Helen Starnes



Filed for Record in:
Collin County, McKinney TX
Honorable Helen Starnes
Collin County Clerk

On Nov 13 2002
At 2:32pm

Doc/Num : 2002- 0168120

Recording/Type:ND 43.00
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