

When Recorded Return To:  
D.R. Horton, Inc.  
12351 Gateway Park Place  
Suite D-100  
Draper, Utah 84020  
Attention: Boyd A. Martin

**CERTIFICATE OF AMENDMENT NUMBER ONE  
TO  
DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS  
FOR  
THE VILLAS AT SPANISH VISTA**

THIS CERTIFICATE OF AMENDMENT NUMBER ONE TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR THE VILLAS AT SPANISH VISTA (this "Amendment") is made and executed as of June 30, 2005, by Centex Homes, a Nevada general partnership ("Declarant").

**RECITALS**

A. Centex Homes, a Nevada general partnership, is the "Declarant" under that certain Declaration of Covenants, Conditions, Easements and Restrictions for The Villas at Spanish Vista (the "Declaration") dated February 14, 2005, which was recorded in the Office of the Recorder of Utah County, Utah on February 24, 2005 as Entry No. 19109:2005, beginning at Page 1, which Declaration pertains to a residential planned unit development known as The Villas at Spanish Vista consisting of thirty-eight (38) Lots and thirty-eight (38) Townhouses for residential use (the "Project") located on that certain real property in Utah County, State of Utah more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference. All of the defined terms contained in the Declaration shall have the same meaning when used in this Amendment.

B. Declarant has entered into a Contract Sale with an effective date of June 21, 2005, pursuant to which Declarant has sold to D.R. Horton, Inc., a Delaware corporation (referred to as "D.R. Horton"), the thirty-eight (38) Lots comprising the Property, as described on Exhibit "A" hereto and incorporated herein by this reference.

C. Section 1.16 of the Declaration defines the term "Declarant" to mean Centex Homes, a Nevada general partnership, its successors and any Person to whom it may expressly assign any or all of its rights under this Declaration. Pursuant to Section 1.16, Centex Homes desires to assign to D.R. Horton all right, title and interest of Centex Homes as the Declarant under the Declaration with respect to all of the Property commencing on the date of this Amendment.

D. Centex Homes is authorized to execute this Amendment unilaterally as provided in Section 11.3 of the Declaration.

**AMENDMENT**

NOW THEREFORE, Declarant hereby declares and provides as follows:

1. Assignment of Declarant's Rights. Centex Homes hereby transfers and assigns to D.R. Horton all right, title and interest of Centex Homes as the Declarant under the Declaration with respect to the thirty-eight (38) Lots comprising the Property, as more specifically described in Exhibit "A" attached hereto and incorporated herein by this reference. By executing this Amendment, D.R. Horton hereby assumes the rights and obligations of Centex Homes as the Declarant under the Declaration with respect to the thirty-eight (38) Lots comprising the Property, commencing as of the date of this Amendment. Except as herein expressly provided, D.R. Horton does not assume or agree to perform any other obligations of Centex Homes as the Declarant under the Declaration.

2. Effective Date. This Amendment shall be effective upon recording in the Office of the Recorder of Utah County, Utah. Except as herein expressly provided, the Declaration shall remain in all other respects unmodified and in full force and effect.

IN WITNESS WHEREOF, Centex and D.R. Horton, Inc. have executed this Amendment as of the date first above written.

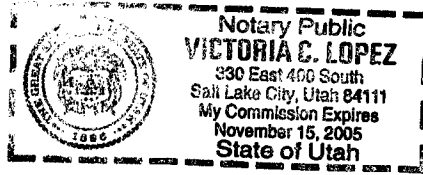
CENTEX HOMES,  
a Nevada general partnership  
By: Centex Real Estate Corporation  
a Nevada corporation  
Its: Managing General Partner

By: *Larry W. [Signature]*  
Title: Division Manager

D.R. HORTON, INC.,  
a Delaware corporation

By: *Boyd A. [Signature]*  
Title: N.P.

STATE OF UTAH )  
 : SS:  
COUNTY OF SALT LAKE )



The foregoing instrument was acknowledged before me this 29 day of June, 2005, by Larry W Tamer, who is the Division Manager of the Salt Lake Division of Centex Real Estate Corporation, a Nevada corporation, which corporation executed the foregoing instrument in its capacity as the Managing General Partner of Centex Homes, a Nevada general partnership.

[Signature]  
Notary Public  
Residing at: Salt Lake

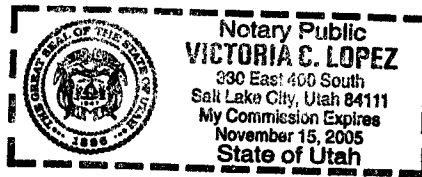
My Commission Expires: 11/15/08

STATE OF UTAH )  
 : SS:  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 29 day of June, 2005, by Boyd A. Martin, who is the Vice-President of D.R. Horton, Inc., a Delaware corporation.

[Signature]  
Notary Public  
Residing at: Salt Lake

My Commission Expires: 11-15-05



**EXHIBIT "A"**  
**TO**  
**CERTIFICATE OF AMENDMENT NUMBER ONE**  
**TO**  
**DECLARATION OF COVENANTS, CONDITIONS,**  
**EASEMENTS AND RESTRICTIONS**  
**FOR**  
**THE VILLAS AT SPANISH VISTA**

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That certain real property located in Utah County, State of Utah, more particularly described as follows:

Lots 101, 102, 103, 104, 105 and 106, Plat "A", THE VILLAS AT SPANISH VISTA, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lots 201, 202, 203, 204, 205, 206, 301, 302, 303, 304, 305, 306, 401, 402, 403, 404, 405, 406, 501, 502, 503, 504, 601, 602, 603, 604, 701, 702, 703, 704, 705, 706, Plat "B", THE VILLAS AT SPANISH VISTA, according to the official plat thereof on file and of record in the Utah County Recorder's Office.