

SCANNED

**RATIFICATION
OF
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
ROGERS RANCH SUBDIVISION UNIT 26,
PLANNED UNIT DEVELOPMENT**

WHEREAS, Shavano Rogers Ranch North No. 2, Ltd., a Texas limited partnership, as Declarant, has heretofore caused the Declaration of Covenants, Conditions and Restrictions for Rogers Ranch Subdivision Unit 26, Planned Unit Development and Provisions for Shavano Rogers Ranch Crosstimber Homeowners Association, to be recorded in Volume 10077, Page 197, Real Property Records of Bexar County, Texas ("Declaration"), and the Declaration imposes certain covenants, conditions and restrictions on the Unit 26 Subdivision, as more particularly defined and described therein;

WHEREAS, the undersigned entity owned one or more lots situated within the Unit 26 Subdivision at the time Declarant recorded the Declaration, such lots being more particularly described on **Exhibit A** attached hereto and incorporated herein by reference, and now desires to join into, ratify and affirm the provisions of the Declaration for all purposes insofar as the lots owned by the undersigned entity are concerned, with the same force and effect as if (i) Declarant had recorded the Declaration prior to Declarant's conveyance by deed of the aforesaid lots to the undersigned entity and such deed had been made expressly subject to the terms thereof; and/or (ii) the undersigned entity had itself executed the Declaration along with Declarant.

NOW, THEREFORE, for and in consideration of the premises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned entity, as the current owner of the lots described on **Exhibit A** which comprise a portion of the Unit 26 Subdivision covered by the Declaration, does hereby join into, ratify and affirm all of the covenants, conditions and restrictions contained in the Declaration for all purposes insofar as they affect any of the aforesaid lots owned by the undersigned entity that are described in the Declaration, it being the express intent hereof for the Declaration to run with the title to such lots owned by the undersigned entity.

NEWMARK HOMES, L.P., a Texas limited partnership

By Its General Partner:

TOUSA HOMES, INC., a Florida corporation

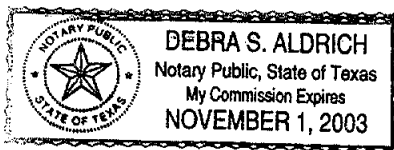
By: [Signature]

Name: Jeff Buell

Title: Division President

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on July 7, 2003, by Jeff Buell, Div. President of TOUSA Homes, Inc., a Florida corporation, as General Partner of Newmark Homes, L.P., a Texas limited partnership, on behalf of said corporation and limited partnership.



[Signature]
Notary Public, State of Texas

Exhibits:

Exhibit A – Description of Lots

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AFTER RECORDING, RETURN TO:

Ms. Sarah Carrington

Bitterblue, Inc.

11 Lynn Batts Lane, Suite 100

San Antonio, Texas 78218

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EXHIBIT A

DESCRIPTION OF LOTS

Lots 91, 92 and 98, Block 57, and Lot 17, Block 61, New City Block 16334, ROGERS RANCH SUBDIVISION UNIT 26, PLANNED UNIT DEVELOPMENT, in the City of San Antonio, Bexar County, Texas, according to plat thereof recorded in Volume 9556, Pages 189-190, Deed and Plat Records of Bexar County, Texas.

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JUL 14 2003



Gerry Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

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Pages 3
07/14/2003 12:32:42 PM
Filed & Recorded in
Official Records of
BEXAR COUNTY
GERRY RICKHOFF
COUNTY CLERK
Fees \$13.00

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