

**PARTIAL ASSIGNMENT OF RIGHTS OF DECLARANT IN  
CONNECTION WITH FAIRWAYS OF BLACKHAWK  
MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS**

This PARTIAL ASSIGNMENT OF RIGHTS OF DECLARANT IN CONNECTION WITH FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made effective the date hereinafter set forth by RH OF TEXAS LIMITED PARTNERSHIP, a Maryland limited partnership and is as follows:

WITNESSETH:

Reference is made to that certain FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, executed by FAIRWAYS OF BLACKHAWK, LIMITED PARTNERSHIP, an Ohio Limited Partnership, being hereinafter referred to as "DECLARANT," dated November 6, 1992, recorded in Volume 11813, Page 0056, Real Property Records of Travis County, Texas, that certain SUPPLEMENTAL DECLARATION TO FAIRWAYS OF BLACKHAWK COVENANTS, CONDITIONS AND RESTRICTIONS, dated November 6, 1992 and recorded in Volume 11813, Page 0085 of the Real Property Records of Travis County, Texas, that certain FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE FAIRWAYS OF BLACKHAWK SUBDIVISION dated April 15, 1993 and recorded in Volume 11939, Page 0992 of the Real Property Records of Travis County, Texas, that certain AMENDMENT TO MASTER DECLARATION dated August 16, 1993 and recorded in Volume 12032, Page 1108 of the Real Property Records of Travis County, Texas, that certain SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FAIRWAYS OF BLACKHAWK SUBDIVISION dated September 13, 1993 and recorded in Volume 12032, Page 1113 of the Real Property Records of Travis County, Texas, that certain THIRD AMENDMENT OF FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS dated April 3, 1995 and recorded in Volume 12419, Page 0602, of the Real Property Records of Travis County, Texas, that certain FOURTH AMENDMENT OF FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS dated October 23, 1995 and recorded in Volume 12565, Page 1692, of the Real Property Records of Travis County, Texas, that certain FIFTH AMENDMENT OF FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, dated September 29, 1997 and recorded in Volume 13034, Page 0346, of the Real Property Records of Travis County, Texas, that certain NOTICE OF ADDITION OF LAND TO FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, dated January 11, 1999 and recorded in Volume 13351, Page 0423, of the Real Property Records of Travis County, Texas, that certain SIXTH AMENDMENT OF FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS,

AND RESTRICTIONS dated effective November 30, 2000 and recorded as Document No. 2000190766 of the Official Public Records of Travis County, Texas, and that certain CORRECTED SIXTH AMENDMENT OF FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS dated effective November 30, 2000 and recorded as Document No. 2001076722 of the Official Public Records of Travis County, Texas, being collectively hereinafter referred to as "DECLARATION;" and

WHEREAS, RH OF TEXAS LIMITED PARTNERSHIP is the current DECLARANT under the DECLARATION pursuant to that certain ASSIGNMENT OF RIGHTS OF DECLARANT IN CONNECTION WITH FAIRWAYS OF BLACKHAWK MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS executed effective November 30, 2000; and

WHEREAS, Section 9.8 of the DECLARATION provides that DECLARANT may assign, in whole or in part, any of its privileges, exemptions, rights and duties under the DECLARATION and Section 6.6 of the DECLARATION provides that DECLARANT may delegate its right to appoint and remove all members of the Architectural Review Committee to the Board of Blackhawk Homeowners Association, Inc. and that thereafter the Board shall have the right to appoint and remove all members of the Architectural Review Committee; and

WHEREAS, DECLARANT wishes to assign its right to appoint and remove all members of the Architectural Review Committee to the Board of Directors of Blackhawk Homeowners Association, Inc. and to confirm and ratify all prior actions by the Board to date in connection with appointment and removal of members of the Architectural Review Committee; and

WHEREAS, pursuant to Section 1.11 of the DECLARATION, the rights of DECLARANT may be assigned by execution of a written document.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES ABOVE, RH OF TEXAS LIMITED PARTNERSHIP hereby assigns to the BOARD OF DIRECTORS OF BLACKHAWK HOMEOWNERS ASSOCIATION, INC. DECLARANT'S rights of appointment described in Section 6.6 of the DECLARATION, including the right to appoint and remove all members of the Architectural Review Committee and no other DECLARANT privileges, exemptions, rights or duties, and DECLARANT further hereby ratifies and confirms all prior actions by the BOARD OF DIRECTORS OF BLACKHAWK HOMEOWNERS ASSOCIATION, INC. taken to date in connection with appointment and removal of members of the Architectural Review Committee.

EXECUTED to be effective the 20<sup>th</sup> day of July, 2007.

RH OF TEXAS LIMITED PARTNERSHIP,  
a Maryland Limited Partnership

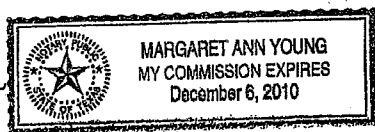
By: [Signature]  
Printed Name: John Damrich  
Title: Its VPLand Acquisitions

**ACKNOWLEDGMENT**

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of July, 2007 by John Damrich, VPLand Acquisitions (title) of RH/ of Texas Limited Partnership, a Maryland limited partnership, on behalf of said limited partnership.

[SEAL



[Signature]  
Notary Public, State of Texas

MARGARET ANN YOUNG  
Printed or Typed Name  
My Commission Expires: 12/6/2010

AFTER RECORDING RETURN TO:

Bill Flickinger  
Willatt & Flickinger  
2001 North Lamar  
Austin, Texas 78705

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7/20/07