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ASSIGNMENT OF RIGHTS AS DECLARANT

THIS ASSIGNMENT OF RIGHTS AS DECLARANT is executed effective as of the 24th day of October, 1994, by I. Harold Silberberg and wife, Adele G. Silberberg (the "Assignor"), in favor of N.W. Mesa Forest, Ltd., a Texas limited partnership (the "Assignee").

5.00 INDX
10/25/94

WHEREAS, Assignor, has heretofore executed that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Mesa Forest P.U.D. dated October 3, 1994, recorded in Volume 12299, Page 23, of the Real Property Records of Travis County, Texas, (said Declaration of Covenants, is hereinafter referred to as the "Declaration"), said Declaration covering that certain real property (the "Property") more particularly described therein and hereby incorporated herein by reference, the terms and provisions of such Declaration also being incorporated herein by reference; and

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10/25/94

WHEREAS, Assignee, effective as of the date hereof, has obtained ownership and title to the Property from Assignor; and

1.00 SEC
10/25/94
35.31-CHK#

WHEREAS, Assignor now desires to absolutely assign to Assignee all of the Assignor's rights, title and interest as Declarant under the Declaration.

NOW THEREFORE, for and in consideration of Ten and NO/100 Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor has, and by these presents does hereby TRANSFER, ASSIGN, PLEDGE and CONVEY unto Assignee, all of Assignor's rights, title and interests, as Declarant, under the Declaration.

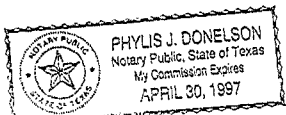
EXECUTED effective as of the 24th day of October, 1994.

I. Harold Silberberg
I. Harold Silberberg
Adele G. Silberberg
Adele G. Silberberg

Acknowledgment

STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 24 day of October, 1994, by I. Harold Silberberg and wife, Adele G. Silberberg.



Phyllis J. Donelson
Notary Public, State of Texas

assdec.del

RETURN TO: PHYLLIS DONELSON
HERITAGE TITLE
98 SAN JACINTO BLVD. STE. 400
AUSTIN, TEXAS 78701
GF# 3-14497

18304 000

FILED

94 OCT 25 PM 4:27

DANA DEBEAUVOUR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me, and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me, and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

OCT 25 1994



Dana Debeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

TRAVIS COUNTY CLERK'S OFFICE
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12300 0907

Handwritten initials