

Amegy Bank N.A.

P.O. Box 27459
Houston, Texas 77227-7459

Office Address:
4400 Post Oak Parkway
Houston, Texas 77027

Swift: SWBKUS44
Phone: (713) 235-8800
Fax: (713) 232-5928

AMENDMENT TO STANDBY LETTER OF CREDIT

AMENDMENT DATE: JULY 31, 2009

NUMBER: SC 5929

BENEFICIARY: FORT BEND COUNTY JUDGE ROBERT E. HEBERT
OR HIS SUCCESSORS IN OFFICE
500 JACKSON ST.
RICHMOND, TEXAS 77469

APPLICANT: KATY-FT. BEND (HOUSTON) AIP III, L.P.
923 N. PENNSYLVANIA AVE
WINTER PARK, FL 32789

THIS IS AMENDMENT NO. 1 AND IS CONSIDERED AS PART OF THE ABOVE CREDIT AND MUST BE ATTACHED THERETO.

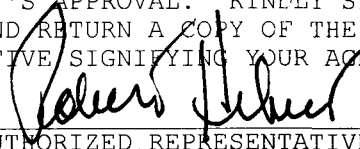
WE HEREBY AMEND OUR STANDBY LETTER OF CREDIT AS FOLLOWS:

DECREASE OF: USD 23,940.00

AMOUNT AFTER AMENDMENT: USD 23,940.00 (USD TWENTY THREE THOUSAND NINE HUNDRED FORTY EXACTLY)

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

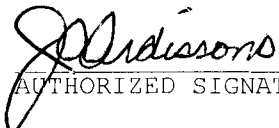
PLEASE BE ADVISED THAT THIS LETTER OF CREDIT AMENDMENT IS SUBJECT TO THE BENEFICIARY'S APPROVAL. KINDLY SIGN THE ORIGINAL OF THIS AMENDMENT, KEEP THE ORIGINAL AND RETURN A COPY OF THE AMENDMENT DULY SIGNED BY YOUR AUTHORIZED REPRESENTATIVE SIGNIFYING YOUR AGREEMENT OR REJECTION THEREOF.

ACCEPTED: 
AUTHORIZED REPRESENTATIVE
Robert Hebert, County Judge
DATE: 8-11-09

REJECTED: _____
AUTHORIZED REPRESENTATIVE

THE SUBJECT AMENDMENT WILL BECOME OPERATIVE ONLY UPON RECEIPT OF THE ABOVE MENTIONED COPY DULY ACCEPTED AND SIGNED BY THE BENEFICIARY.

SINCERELY,


AUTHORIZED SIGNATURE


AUTHORIZED SIGNATURE