

CEW VENTURES, LLC

TO

THE PUBLIC

FIRST AMENDMENT OF DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
EAGLES CREST SUBDIVISION

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF GILLESPIE

§

WHEREAS, CEW VENTURES, LLC. has executed and filed that certain Declaration of Covenants, Conditions and Restrictions of Eagles Crest Subdivision (herein "Declaration") dated January 5, 2010, recorded under County Clerk's File No. 200906308 of the Official Public Records of Gillespie County, Texas; and

WHEREAS, CEW VENTURES, LLC is the Declarant as defined in the Declaration; and

WHEREAS, pursuant to ARTICLE XIII., AMENDMENT, "the Declarant and the Owners of at least fifty percent (50%) of the Tracts may amend this Declaration by executing and filing an instrument containing such amendment in the office of the County Clerk of Gillespie County, Texas. The Declarant on the date of execution of this instrument is the owner of thirty-four (34) of the thirty-five (35) tracts of the Eagles Crest Subdivision; and

WHEREAS, the Declarant and the undersigned owners of Tracts in the Subdivision desire to amend the Declaration as is herein provided;

NOW, THEREFORE, the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF EAGLES CREST SUBDIVISION are amended as follows:

AMENDMENT NO. 1

Paragraph (3) Building Materials, of Section 2. Residential Restrictions, of ARTICLE VIII., RESTRICTIVE COVENANTS, of the Declaration is declared a nullity and of no further force and

effect and in substitution for such paragraph (3) Building Materials, the Declaration shall be amended by the incorporation of the following as paragraph (3) Building Materials:

(3) Building Materials

a) All Single Family Dwellings and other Improvements shall be constructed of recognized standard construction quality. New construction materials (except stone or brick) shall be used in constructing any Single Family Dwelling or Improvement situated on a Tract.

b) The total exterior wall area of all Single Family Dwellings shall be composed of at least 80% masonry or masonry veneer ("masonry percentage"). The minimum masonry percentage for Single Family Dwellings and other Improvements shall apply to the aggregate area of all exterior walls but be exclusive of door, window and similar openings ("total exterior wall area"). "Masonry" or "masonry veneer" means stone, brick, stucco, or fiber cement siding; provided at least 50% of the total exterior wall area shall be stone or brick. Logs which were hewn prior to 1900 shall be considered masonry for purposes of satisfying the minimum requirements of masonry or masonry veneer.

c) All Structural Improvements, other than Single Family Dwellings, shall have exterior walls, exclusive of doors and windows, constructed entirely of masonry, masonry veneer or wood.

The amendment herein shall be effective from and after the date that it is duly filed in the Official Public Records of Gillespie County, Texas.

The amendment herein shall be a burden running with the land and be enforceable by and against the undersigned, its heirs, successors and assigns, and all Owners of Tracts in the Eagles Crest Subdivision.

In all other respects, the provisions of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF EAGLES CREST SUBDIVISION shall continue in full force and effect as written without change.

EXECUTED this the 10th day of JUNE, 2010.

Signature Pages Follow