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SCENIC VISTAS, L.P. TO THE PUBLIC

FIRST AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SCENIC VISTA ESTATES SUBDIVISION

STATE OF TEXAS §
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF GILLESPIE §

202667

WHEREAS, the Scenic Vista Estates Subdivision (herein "Subdivision") is described in the map or plat of said subdivision as recorded in Volume 2, Page 83, of the Plat Records of Gillespie County, Texas; and

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Scenic Vista Estates Subdivision (herein "Declaration"), is recorded at Volume 390, Pages 898-902 of the Official Public Records-Real Property of Gillespie County, Texas; and

WHEREAS, SCENIC VISTAS, L.P., a Texas Limited Partnership, is the developer as defined in the Declaration; and

WHEREAS, pursuant to the Declarations, Developer has reserved to itself, in Developer's sole discretion without any joinder or consent of any other party, the right to amend the Declaration for the purpose of correcting any error, ambiguity, or inconsistency appearing therein or any reason whatsoever deemed necessary for the benefit of the overall development of the property as determined by Developer in his sole discretion. Developer determines that the following amendment to the

Dated 6-21-2000

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Declaration is necessary for the benefit of the overall development of the property.

AMENDMENT NO. 1

Restriction No. 6 of the Declaration shall be deleted and in substitution for the deleted provision, the following shall become and is enforceable as Restriction No. 6:

> A single family dwelling shall not be erected on any tract nearer than fifty feet (50') from the front, rear or side property line. Other buildings erected on a tract shall not be nearer than fifty feet (50') from any property line.
>
> Notwithstanding the foregoing setback requirements, in the event an owner shall own title to two or more tracts which have a common boundary line, the building setback restriction provided herein shall not apply to the common boundary line of the abutting and adjoining tracts. Solely for purposes of determination of building setbacks, the tracts having a common and adjoining boundary line shall be treated as if they constitute a single tract of land and there shall be no building setback as to the common boundary line so long as the tracts which share a common boundary line are owned by the same person.

The amendments herein shall be effective from and after the date that they are duly filed in the Official Public Records - Real Property of Gillespie County, Texas.

The amendments herein and restrictions created thereby shall be burdens running with the land and be enforceable by and against the undersigned, their heirs, successors and assigns, and all other owners of property in the Scenic Vista Estates Subdivision.

In all other respects, the provisions of the Declaration of Covenants, Conditions and Restrictions of Scenic Vista Estates Subdivision as amended shall continue in full force and effect as written without change.

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EXECUTED this the 21st day of June, 2000.

SCENIC VISTAS, L.P., A Texas Limited Partnership

BY: WESTVEST PARTNERS, LLC, a Texas Limited Liability Company, its General Partner

BY: Kenneth A Barfield
KENNETH A. BARFIELD, Manager

STATE OF TEXAS §

COUNTY OF Travis §

This instrument was acknowledged before me on this the 21st day of June, 2000, by KENNETH A. BARFIELD, Manager of WESTVEST PARTNERS, LLC, a Texas Limited Liability Company, General Partner of SCENIC VISTAS, L.P., a Texas Limited Partnership, on behalf of said partnership.

Teresa J. Wheatley
Notary Public, State of Texas

TERESA J. WHEATLEY
MY COMMISSION EXPIRES
October 26, 2000

TITLE PAGE

Filed 27th day of June A.D. 2000 at 2:02 o'clock P M.

and recorded 28th day of June A.D. 2000 at 9:25 o'clock A. M.

in Volume 398, pages 382-384 Official Public Records.

DEBBIE WAHL, Clerk County Court, Gillespie County, Texas.

Filmed by Colleen Ketron Deputy.

Colleen Ketron