SCENIC VISTAS, L.P., A TEXAS LIMITED PARTNERSHIP TO THE PUBLIC

SECOND 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 §

WHEREAS, the Scenic Vistas Estate Subdivision (herein "Subdivision") is described in the map or plat of said subdivision as recorded in Volume 2, Page 183, of the Plat Records of Gillespie County, Texas; and

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

WHEREAS, the First Amendment of Declaration of Covenants, Conditions and Restrictions of Scenic Vista Estates Subdivision (hereinafter "Amendment") is recorded at Volume 398, Pages 382-384, of the Official Public Records of Gillespie County, Texas; and

WHEREAS, SCENIC VISTAS, L.P., a Texas Limited Partnership is the Declarant; and

WHEREAS, pursuant to ARTICLE XXVII, AMENDMENT, of the Declarations, Declarant has reserved to itself, in Declarant'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 herein or any reason whatsoever deemed necessary for the benefit of the overall development. Declarant determines that the Amendments contained herein,

are necessary to correct errors, ambiguities, or inconsistencies or for the benefit of the overall development of the subdivision;

NOW, THEREFORE, the Declaration of Covenants, Conditions and Restrictions of Scenic Vista Estates Subdivision are amended as follows:

AMENDMENT NO. 1

Developer amends paragraph 1. of DEFINITIONS, which paragraph 1. of DEFINITIONS as amended shall be as follows:

> 1. "Parcel" or "tract" shall mean each lot, tract, parcel and portion of the property as shown, described and established by the plat thereof. An owner of one or more parcels or tracts which parcels or tracts have one or more common boundary lines may elect to treat the multiple tracts as a single tract for purposes of construction, compliance and enforcement of the Declaration. As an example, the owner of Tracts 24, 25 and 26, having common boundary lines, may elect to treat such properties as a single tract. Such election shall be revocable, and when revoked, each tract shall individually be subject to and bound by the Declaration.

The amendments herein shall be effective from and after the date that they are duly filed in the Official Public Records 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.

EXECUTED this the 12 day of DECEMBER, 2002.

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

By: WESTVEST PARTNERS, L.L.C., A Texas Limited Liability Company
Its General Partner

BY: _____
Printed
Name: TODD B. WEHNER
Title: Manager

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 12th day of December, 2002, by Todd B. Wehner, Manager of WESTVEST PARTNERS, L.L.C., a Texas Limited Liability Company, as General Partner of SCENIC VISTAS, L.P., a Texas Limited Partnership, on behalf of said entity.

DENISE S. HERBERT
Notary Public, State of Texas
My Commission Expires
January 23, 2004

_____
Notary Public, State of Texas

026760 484 866

FILED FOR RECORD
AT 3:02 O'CLOCK P M B/S

DEC 16 2002

DEBBIE WAHL
CLERK COUNTY COURT
GILLESPIE COUNTY, TEXAS
By Deputy

THE STATE OF TEXAS }
County of Gillespie } I, DEBBIE WAHL, Clerk of the County Court of said County,

do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record on date stamped hereon and duly recorded this 17th day of December A.D. 20 02, at 9:40 o'clock a M., in the Official Public records of said County, in Volume 484, on Pages 863-866.

Witness my hand and seal of the County Court of said County, at office in Fredericksburg, Texas, the day and year last above written.

DEBBIE WAHL
Clerk, County Court, Gillespie County, Texas
By Deputy
Felicia Cornehl