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FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR CIRCLE C RANCH SUBDIVISION

THE STATE OF TEXAS

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COUNTY OF TRAVIS

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648.89-CHK#  
372.97-DOC#

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Circle C Ranch Subdivision is made to be effective on the 8th day of March, 1988, with respect to the following facts:

A. The Declaration of Covenants, Conditions and Restrictions for Circle C Ranch Subdivision (the "Declaration") was recorded on February 16, 1988, at Volume 10585, Page 110, Real Property Records of Travis County, Texas.

B. Article VIII, Section 2, of the Declaration provides that the Declaration may be amended by Declarant at any time to correct typographical or grammatical errors and to comply with VA or FHA approval of the Properties (as that term is defined in the Declaration).

C. The undersigned Declarant under the Declaration desires to amend the Declaration, as set forth herein, for the purposes set forth in B. above.

NOW, THEREFORE, Declarant declares as follows:

1. The date of the Declaration, referred to in the opening paragraph on page 1 of the Declaration, shall be February 16, 1988.

2. The name "Circle C Ranch Homeowners Association," appearing throughout the Declaration, is hereby changed to "Circle C Homeowners Association."

3. Article I, Section 1(a) is hereby deleted in its entirety and replaced by the following:

"Association" shall mean and refer to the Circle C Homeowners Association, Inc., a Texas non-profit corporation.

4. Article I, Section 1(b) of the Declaration is hereby deleted in its entirety and replaced by the following:

"Common Properties" shall mean and refer to (i) those areas of land shown on any recorded plat or its equivalent of The Properties or any portion thereof filed by Declarant and identified thereon as "Common Properties of the Circle C Homeowners Association," and (ii) those areas of land deeded to the Association by Declarant. There are no Common Properties within The Properties as of the date of this Declaration.

5. The 6th, 7th and 8th lines of Article I, Section 3(a) of the Declaration are hereby deleted in their entirety and replaced by the following:

Exhibit "B" attached hereto (all such properties subject to this Declaration, including the real property described in Exhibit "A" hereto, subsequent sections of the Circle C Ranch Subdivision and other properties added in future stages of the development within the areas described on Exhibit "B" hereto, and any other properties added to the scheme of this Declaration are hereinafter referred to collectively as the "Subdivision") without the consent or approval of owners of . . .

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

10627 0771

6. The following sentence shall be added to the end of Article III, Section 2, of the Declaration:

Specifically, and not by way of limitation, the Association shall have the power and authority to enter into license agreements or similar arrangements with governmental authorities to permit the Association to maintain landscaping, lighting, entryway signs, and easements within public rights-of-way and other properties that have been dedicated to the public, in order to enhance the value of The Properties, and the Association shall be authorized and empowered to levy assessments to pay for such maintenance.

7. The first sentence of Article VII, Section 2, is hereby deleted in its entirety and replaced by the following:

Declarant shall convey ownership of the Common Properties to the Association, free and clear of all encumbrances, within 90 days after their designation as such in accordance with Article I, Section 1(b) above, and the Association shall thereafter be responsible for their operation and maintenance.

8. Except as set forth herein, the Declaration is hereby ratified and confirmed.

EXECUTED as of the day and year first above written.

DECLARANT:

CIRCLE C DEVELOPMENT CORPORATION, a Texas corporation

By: [Signature]  
Gary L. Bradley, President

THE STATE OF TEXAS     §  
                                          §  
COUNTY OF TRAVIS     §

This instrument was acknowledged before me on this the 20th day of March, 1988, by Gary L. Bradley, President of CIRCLE C DEVELOPMENT CORPORATION, a Texas corporation.

My Commission Expires: 8-21-88

[Signature]  
Notary Public, State of Texas  
Print Name: Patsy Shelton

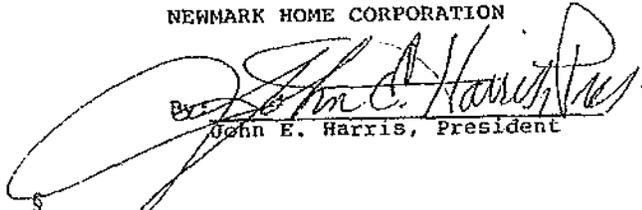


*Ret.* Dave Caudill, Esq.  
P.O. Box 98  
Austin, Tx 78737

CONSENT BY OWNER

The undersigned owner of Lots 8-13, Block N, and Lots 28-33, Block O, of Circle C Ranch, Phase B, Section One, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 87, pages 50C-51D of the Plat Records of Travis County, Texas (the "Newmark Lots") hereby consents to, adopts, ratifies and agrees to be bound by the Declaration and the foregoing amendment with respect to the Newmark Lots and further confirms that such property (i) is part of The Properties and (ii) shall be subject to the Declaration as amended.

NEWMARK HOME CORPORATION

By:   
John E. Harris, President

THE STATE OF TEXAS

COUNTY OF FT. BEND

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This instrument was acknowledged before me on this the 21st day of March, 1988, by John E. Harris, President of Newmark Home Corporation, a Texas corporation, on behalf of said corporation.

My Commission Expires: \_\_\_\_\_

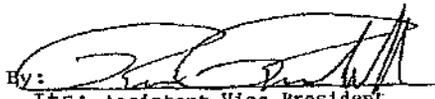
  
Notary Public, State of Texas  
Print Name: JOHN MICHAEL BECKETT  
MY COMMISSION EXPIRES 2-14-89

CONSENT OF MORTGAGEES

**NOTARY SEAL**

The undersigned, holders of mortgages on the Newmark Lots, hereby consent to the Declaration and the foregoing amendment, and subordinate any liens on the Newmark Lots (as of the date of execution hereof by the undersigned) to the Declaration as amended.

COMMONWEALTH MORTGAGE

By:   
Its: Assistant Vice President  
Russ Rockwell

THE STATE OF TEXAS

COUNTY OF Harris

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This instrument was acknowledged before me on this the 18th day of March, 1988, by Russ Rockwell, Asst. Vice President of Commonwealth Mortgage, a Texas corporation, on behalf of said corporation.

My Commission Expires: 5/8/88

  
Notary Public, State of Texas  
Print Name: Teri L. Smith

**NOTARY SEAL**

SUN SAVINGS ASSOCIATION

By: Jay G. Crossno  
Its: President

THE STATE OF TEXAS      §  
                                         §  
COUNTY OF HARRIS      §

This instrument was acknowledged before me on this the 18th  
day of March, 1988, by Jay G. Crossno  
President of Sun Savings Association, a Texas association  
on behalf of said Association corporation.

My Commission Expires:  
\_\_\_\_\_

Dorothea Gaydosh  
Notary Public, State of Texas  
Print Name: \_\_\_\_\_

**DOROTHEA GAYDOSH**  
Notary Public In and for the State of Texas  
My Commission Expires November 3, 1990

NOTARY SEAL

CONSENT BY OWNER

The undersigned, owner of Lots 18-19, Block M, of Circle C Ranch, Phase B, Section Two, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 87, pages 72B-73A of the Plat Records of Travis County, Texas (the "Pulte Lots") hereby consents to, adopts, ratifies and agrees to be bound by the Declaration and the foregoing amendment with respect to the Pulte Lots and further confirms that such property (i) is part of The Properties and (ii) shall be subject to the Declaration as amended.

PULTE HOMES, INC.

By: Douglas H. Moss  
Its: President  
South Texas Division  
Douglas Moss

THE STATE OF TEXAS  
COUNTY OF Travis

This instrument was acknowledged before me on this the 21st day of March, 1988, by Douglas H. Moss, President of PULTE HOMES, INC., a Michigan corporation, on behalf of said corporation.

My Commission Expires:  
4-27-91

Sabine M. Lites  
Notary Public, State of Texas  
Print Name: Sabine M. Lites

NOTARY SEAL

CONSENT BY OWNER

The undersigned, owner of Lots 7, 9, 10 and 12, Block J of Circle C Ranch, Phase B, Section Two, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 87, pages 72B-73A of the Plat Records of Travis County, Texas (the "Wilson Lots") hereby consents to, adopts, ratifies and agrees to be bound by the Declaration and the foregoing amendment with respect to the Wilson Lots and further confirms that such property (i) is part of The Properties and (ii) shall be subject to the Declaration as amended.

DOYLE WILSON BUILDER, INC.

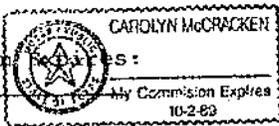
By: J. Arthur Hudman  
Its: Vice-President

THE STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 22<sup>nd</sup> day of March, 1988, by J. ARTHUR HUDMAN, VICE PRESIDENT of DOYLE WILSON BUILDER, INC., a Texas corporation, on behalf of said corporation.

My Commission Expires:



Carolyn McCracken  
Notary Public, State of Texas  
Print Name: \_\_\_\_\_

CONSENT OF MORTGAGEES

The undersigned, holders of interests in mortgages on the Wilson Lots, hereby consent to the Declaration and the foregoing amendment, and subordinate any liens on the Wilson Lots (as of the date of execution hereof by the undersigned) to the Declaration as amended.

WILSON COMPUTER SERVICES STAFF  
SUPERANNUATION FUND

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_  
BRUCE WILSON

\_\_\_\_\_  
NINA M. WILSON

\_\_\_\_\_  
WILLIAM W. WILSON

CONSENT BY OWNER

The undersigned, owner of Lots 7, 9, 10 and 12, Block J of Circle C Ranch, Phase B, Section Two, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 87, pages 72B-73A of the Plat Records of Travis County, Texas (the "Wilson Lots") hereby consents to, adopts, ratifies and agrees to be bound by the Declaration and the foregoing amendment with respect to the Wilson Lots and further confirms that such property (i) is part of The Properties and (ii) shall be subject to the Declaration as amended.

DOYLE WILSON BUILDER, INC.

By: J. Arthur Hudman  
Its: Vice-President

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 1988, by \_\_\_\_\_ of DOYLE WILSON BUILDER, INC., a Texas corporation, on behalf of said corporation.

My Commission Expires: \_\_\_\_\_ Notary Public, State of Texas  
Print Name: \_\_\_\_\_

CONSENT OF MORTGAGEES

The undersigned, holders of interests in mortgages on the Wilson Lots, hereby consent to the Declaration and the foregoing amendment, and subordinate any liens on the Wilson Lots (as of the date of execution hereof by the undersigned) to the Declaration as amended.

WILSON COMPUTER SERVICES STAFF  
SUPERANNUATION FUND

By: \_\_\_\_\_  
Its: \_\_\_\_\_

BRUCE WILSON

x Nina M. Wilson  
NINA M. WILSON

x William W. Wilson  
WILLIAM W. WILSON

THE STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

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This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 1988, by \_\_\_\_\_ of WILSON COMPUTER SERVICES STAFF SUPERANNUATION FUND, a \_\_\_\_\_, on behalf of said \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

Notary Public, State of Texas  
Print Name: \_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

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This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 1988, by BRUCE WILSON.

My Commission Expires: \_\_\_\_\_

Notary Public, State of Texas  
Print Name: \_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF POTTER

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This instrument was acknowledged before me on this the 23rd day of March, 1988, by NINA M. WILSON.

My Commission Expires: 10-14-90

Carmella Jones  
Notary Public, State of Texas  
Print Name: CARMECCA JONES

NOTARY SEAL

THE STATE OF TEXAS  
COUNTY OF POTTER

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This instrument was acknowledged before me on this the 25th day of MARCH, 1988, by WILLIAM W. WILSON.

My Commission Expires: 10-14-90

Carmella Jones  
Notary Public, State of Texas  
Print Name: CARMECCA JONES

NOTARY SEAL

CONSENT BY OWNER

The undersigned owner of Lots 1-6, Block O, and Lots 22-25, Block R, of Circle C Ranch, Phase B, Section One, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 87, pages 50C-51D of the Plat Records of Travis County, Texas (the "Weekley Lots") hereby consents to, adopts, ratifies and agrees to be bound by the Declaration and the foregoing amendment with respect to the Weekley Lots and further confirms that such property (i) is part of The Properties and (ii) shall be subject to the Declaration as amended.

WEEKLEY HOMES, INCORPORATED

By: [Signature]  
David Weekley, President

THE STATE OF TEXAS       §  
                                          §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on this the 21st day of March, 1988, by David Weekley, President of WEEKLEY HOMES, INCORPORATED, a Texas corporation, on behalf of said corporation.

[Signature]  
Notary Public, State of Texas  
Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_  
 MICHELE M. McVEY  
Notary Public, State of Texas  
My Commission Expires 1/29/91

CONSENT OF MORTGAGEE

The undersigned, holders of mortgages on the Newmark Lots, hereby consents to the Declaration and the foregoing amendment, and subordinate any liens on the Newmark Lots (as of the date of execution hereof by the undersigned) to the Declaration as amended.

COMMONWEALTH SAVINGS ASSOCIATION

By: [Signature]  
Its: \_\_\_\_\_  
Russ Rockwell

THE STATE OF TEXAS       §  
                                          §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on this the 24th day of MARCH, 1988, by Russ Rockwell, ASST. VICE PRES. of Commonwealth Savings Association, a Texas corporation, on behalf of said corporation.

[Signature]  
Notary Public, State of Texas  
Print Name: TERI L. SMITH

My Commission Expires: 5-8-88

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 PLAT RECORDS of Travis County, Texas, on

FILED

1988 MAR 28 PM 4:09

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

DANA DE BEAUVOIR  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

10627 0779

MAR 28 1988  
 DANA DE BEAUVOIR  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS