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

THE STATE OF TEXAS
COUNTY OF TRAVIS

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This Supplemental Declaration and Second Amendment to Declaration of Covenants, Conditions and Restrictions for Circle C Ranch Subdivision is made to be effective August 1, 1988, with respect to the following facts:

A. The Declaration of Covenants, Conditions and Restrictions for Circle C Ranch Subdivision was recorded on February 16, 1988, at Volume 10585, Page 110, Real Property Records of Travis County, Texas, and amended on March 8, 1988, by document recorded in Volume 10627, Page 771, Real Property Records of Travis County, Texas (collectively, the "Declaration").

B. Article I, Section 3 of the Declaration permits Circle C Development Corporation ("Declarant") to bring certain property within the scheme of the Declaration and to modify the Declaration as may be appropriate for such properties.

C. Declarant desires to bring certain property within the scheme of the Declaration and to modify the Declaration as to said property.

NOW, THEREFORE, Declarant declares as follows:

1. Addition to Property Subject to Declaration. The following tracts of land (the "Added Tracts") are hereby added to the property subject to the Declaration:

- (a) Phase B, Section 5, Circle C Ranch, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 87, Page 192C-192D, Plat Records of Travis County, Texas; and
- (b) That certain 79.9150-acre tract of land described on Exhibit A attached hereto.

2. Applicability of and Modification to the Declaration.

The Added Tracts shall be held, transferred, sold, conveyed and occupied subject to the Declaration, except as follows: the first sentence of Article III, Section 3, is hereby amended to read

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10778 0284

"Each owner of any part of The Properties shall pay to the Association an annual assessment of \$0.25 for each one hundred dollars (\$100.00), or fraction thereof, of the value of that portion of The Properties so owned, such value to be calculated as the greater of (i) the purchase price for that portion of The Properties so owned, or (ii) the assessed value of that portion of The Properties so owned set by the Travis County Appraisal District for ad valorem tax purposes for the preceding year."

EXECUTED to be effective on the date first above written.

DECLARANT:

CIRCLE C DEVELOPMENT CORPORATION,
a Texas corporation

By: *Dianna Patterson*
Its: *Vice President*
DIANNA PATTERSON

THE STATE OF TEXAS §
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COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the *7th* day of *September*, 1988, by *Dianna Patterson*, *Vice President* of CIRCLE C DEVELOPMENT CORPORATION, a Texas corporation.

My Commission Expires:
7/4/89

Cyela Marie Stevens
Notary Public, State of Texas
Print Name: *Cyela Marie Stevens*

NOTARY SEAL

Ret: CIRCLE C DEVELOPMENT CORP.
1111 W. 11th St.
Austin, Tx. 78703
Attn: Dianna Patterson

CONSENT BY OWNER OF ADDED PROPERTY

The undersigned owner of Lots 22 and 23, Block P (the "Lots") of the Section 5 Tract hereby consents to, adopts, ratifies and agrees to be bound by the Declaration, and further confirms that the Lots are part of The Properties (as defined in the Declaration) and shall be subject to the Declaration.

SCOTT FELDER, INC.

By: [Signature]
Its: President
SCOTT FELDER

THE STATE OF TEXAS

COUNTY OF TRAVIS

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This instrument was acknowledged before me on this the 16th day of September, 1988, by Scott Felder, President of SCOTT FELDER, INC., a Texas corporation, on behalf of said corporation.

My Commission Expires:
6/10/91

Patricia A. Thomas
Notary Public, State of Texas
Print Name: PATRICIA A. THOMAS
NOTARY SEAL

EXHIBIT A

STATE OF TEXAS §
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COUNTY OF TRAVIS §

FIELDNOTE DESCRIPTION of a 79.9150 acre tract out of the Samuel Hamilton Survey No. 16, Travis County, Texas, being a portion of that 582.5503 acre tract conveyed to Circle C Development Corporation by deed recorded in Volume 9197, Page 385, and that 870.9456 acre tract also conveyed to Circle C Development Corporation by deed recorded in Volume 9197, Page 385 of the Deed Records of Travis County, Texas. The herein described tract is more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument found in the easterly right-of-way line of Escarpment Boulevard (120.00' right-of-way) for the most southerly corner of Circle C Ranch, Phase B, Section One, a subdivision recorded in Book 87, Pages 50C through 51D, being the most easterly corner of Circle C Ranch, Phase B, Section Two, a subdivision recorded in Book 87, Pages 72B through 73A, both of the Plat Records of Travis County, Texas, and a point in the common line between the said 870.9456 acre tract and the 582.5503 acre tract;

THENCE, N 52° 00' 07" E, along the said common line between the said 582.5503 acre tract and the 870.9456 acre tract, leaving the northerly line of Circle C Ranch, Phase B, Section Two, with the said easterly right-of-way of Escarpment Boulevard, 441.67 feet to a concrete monument found for the point of curvature of a curve to the right;

THENCE, continuing along the said easterly right-of-way line of Escarpment Boulevard, being the easterly line of Circle C Ranch, Phase B, Section One, with the said curve to the right having a central angle of 05° 49' 15", a radius of 4680.00 feet, a chord of 475.24 feet (chord bears N 54° 34' 45" E) at an arc distance of 6.95 feet pass an iron rod found for an ell corner between the said 582.5503 acre tract and the 870.9456 acre tract, for a total arc distance of 475.45 feet to a concrete monument set for the most northerly corner of the herein described tract;

THENCE, leaving the easterly right-of-way line of Escarpment Boulevard and continuing across the said 582.5503 acre tract for the following nine (9) courses:

- 1) S 32° 10' 38" E, 245.00 feet to an iron rod set;
- 2) S 38° 51' 16" E, 67.68 feet to a concrete monument set;
- 3) S 55° 52' 15" W, 131.64 feet to an iron rod set;
- 4) S 34° 07' 45" E, 1.39 feet to an iron rod set for the point of curvature of a curve to the left;
- 5) with the said curve to the left having a central angle of 00° 45' 04", a radius of 550.00 feet, a chord of 7.21 feet (chord bears S 34° 30' 17" E) for an arc distance of of 7.21 feet to an iron rod set;
- 6) S 55° 07' 11" W, 173.46 feet to an iron rod set;
- 7) S 42° 00' 38" E, 156.27 feet to an iron rod set;
- 8) S 50° 13' 31" E, 201.16 feet to an iron rod set;
- 9) S 39° 46' 29" W, 179.34 feet to a point in the southerly line of the aforesaid 582.5503 acre tract being in the northerly line of the 870.9456 acre tract;

EXHIBIT A

THENCE, leaving the southerly line of the said 582.5503 acre tract,
across the 870.9456 acre tract, for the following twenty seven (27) courses:

- 1) S 39° 46' 29" W, 43.00 feet to a concrete monument set;
- 2) S 62° 35' 18" W, 25.21 feet to an iron rod set;
- 3) S 32° 46' 22" E, 132.46 feet to an iron rod set;
- 4) S 40° 40' 03" E, 50.42 feet to an iron rod set;
- 5) S 33° 39' 17" E, 128.72 feet to an iron rod set;
- 6) N 58° 28' 14" E, 14.30 feet to an iron rod set;
- 7) S 31° 31' 46" E, 125.00 feet to an iron rod set;
- 8) S 35° 44' 16" E, 64.17 feet to an iron rod set;
- 9) S 31° 31' 46" E, 202.60 feet to a concrete monument set for the most easterly corner of the herein described tract;
- 10) S 18° 26' 35" W, 437.77 feet to an iron rod found;
- 11) S 49° 18' 49" E, 150.29 feet to a concrete monument set;
- 12) S 46° 44' 11" W, 941.15 feet to a concrete monument set;
- 13) S 70° 58' 22" W, 454.54 feet to an iron rod set;
- 14) N 19° 01' 38" W, 208.05 feet to an iron rod set;
- 15) S 70° 58' 22" W, 115.00 feet to an iron rod set;
- 16) N 19° 01' 38" W, 120.00 feet to an iron rod set;
- 17) S 70° 58' 22" W, 82.75 feet to a concrete monument set;
- 18) S 50° 58' 22" W, 181.81 feet to a concrete monument set;
- 19) N 39° 01' 38" W, 117.42 feet to a concrete monument set for the point of curvature of a curve to the left;
- 20) with the said curve to the left having a central angle of 90° 00' 00", a radius of 20.00 feet, a chord of 28.28 feet (chord bears N 84° 01' 38" W) for an arc distance of 31.42 feet to an iron rod set;
- 21) N 39° 01' 38" W, 64.00 feet to an iron rod set;
- 22) N 50° 58' 22" E, 55.23 feet to an iron rod set;
- 23) N 29° 15' 31" W, 281.08 feet to an iron rod set;
- 24) N 44° 31' 34" W, 143.69 feet to an iron rod set;
- 25) N 56° 20' 09" W, 245.00 feet to an iron rod set;
- 26) N 33° 39' 51" E, 20.00 feet to an iron rod set;
- 27) N 56° 20' 09" W, 163.57 feet to a concrete monument set in the aforesaid common line between the 870.9456 acre tract and the 582.5503 acre tract;

EXHIBIT A

THENCE, N 29° 50' 13" E, with the said common line between the 870.9456 acre tract and the 582.5503 acre tract, at 19.44 feet pass a concrete monument found for the most southerly point of Escarpment Boulevard being the most easterly southeast corner of Circle C Ranch, Phase B, Section Two for a total distance of 189.44 feet to a concrete monument found for the point of curvature of a curve to the right in the easterly right-of-way line of the aforesaid Escarpment Boulevard;

THENCE, continuing along the said common line between the 870.9456 acre tract and the 582.5503 acre tract, being the easterly right-of-way line of Escarpment Boulevard, with the said curve to the right having a central angle of 22° 09' 54", a radius of 3940.00 feet, a chord of 1514.71 feet (chord bears N 40° 55' 10" E) for an arc distance of 1524.19 feet to the PLACE OF BEGINNING, CONTAINING within these metes and bounds 79.9150 acres of land area.

That I, Gregory A. Way, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 25th day of July 1988, A.D.



Gregory A. Way
Gregory A. Way
Registered Public Surveyor
No. 4567 - State of Texas

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was filed on
the 25th day of July 1988, and
was duly RECORDED, in the Volume and Page of the
Public Records of Travis County, Texas, on

SEP 20 1988



Anna McEwen
COUNTY CLERK,
TRAVIS COUNTY, TEXAS

FILED

88 SEP 20 AM 10:45

DANA LEBEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS