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FIRST AMENDMENT TO FIRST SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAKE POINTE, SECTION 9

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

This First Amendment to First Supplemental Declaration of Covenants, Conditions and Restrictions for Lake Pointe, Section 9 (the "Amendment") is made by GLEN ROSE DEVELOPMENT CORPORATION, a Texas corporation (the "Declarant"), and is as follows:

RECITALS:

A. Declarant recorded that certain First Supplemental Declaration of Covenants, Conditions and Restrictions for Lake Pointe, Section 9 in Volume 13268, Page 466 et seq., of the Real Property Records of Travis County, Texas (the "Declaration") which relates to certain real property (the "Property").

B. The Property is subject to that certain Lake Pointe Declaration of Covenants, Conditions and Restrictions, dated June 29, 1995, recorded in Volume 12474, Page 1631 of the Real Property Records of Travis County, Texas, as the same has been amended by instruments of record in Volume 12926, Pages 833, et seq., and Volume 13124, Pages 103, et seq., Real Property Records of Travis County, Texas, and as the same may be further amended in the future from time to time (the "Master Declaration").

C. Pursuant to Section 2.01 of the Master Declaration and Section 7.02 of the Declaration, the Declaration may be amended by recording in the Real Property Records of Travis County, Texas, an instrument setting forth the amendment, executed and acknowledged by the Declarant, acting alone.

NOW, THEREFORE, the undersigned Declarant hereby declares and certifies and hereby amends and modifies the Declaration, as follows:

1. Definitions The following defined terms under Article I, are hereby deleted in their entirety and replaced by the following:

"Articles" shall mean the Articles of Incorporation of The Point Community, Inc., filed or to be filed in the office of the Secretary of State of the State of Texas, as the same may be amended from time to time.

"Association" shall mean and refer to The Pointe Community, Inc., a Texas non-profit corporation.

2. Any capitalized items used and not otherwise defined herein shall have the meanings set forth in the Declaration or Master Declaration. Unless expressly amended by this First Amendment, all other terms and provisions of the Declaration remain in full force and effect as written.

REAL PROPERTY RECORDS
Travis County, Texas

45159.1/120498

13328 2196

Executed to be effective this 10th day of December, 1998.

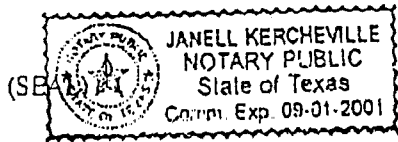
DECLARANT:

GLEN ROSE DEVELOPMENT CORPORATION, a
Texas corporation

By: Donald C. Walden
Donald C. Walden, President

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 10th day of December, 1998, by Donald C. Walden, President of Glen Rose Development Corporation, a Texas corporation, on behalf of said corporation.



Janell Kercheville
Notary Public Signature

AFTER RECORDING, RETURN TO:

~~Robert D. Burton
Armbrust Brown & Davis, L.L.P.
100 Congress Avenue, Suite 1300
Austin, Texas 78701~~

AUSTIN TITLE COMPANY
EYLLIS AVERY / LAKE TRAVIS
7 RR 620 S
AUSTIN, TEXAS 78734

FILED

98 DEC 11 PM 3:13

DANA DEBEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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
called RECORDS of Travis County, Texas, on

DEC 11 1998

Dana Debeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECEIPT #: 00133835 TRASH: BOX 22 DUPT: REGULAR RECORD 111.00
CASHIER: KOFFRI FILE DATE: 12/11/98 TRAVIS INTE: 12/11/98
PAID BY: CHECK# 27650

SECOND AMENDMENT TO FIRST SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR LAKE POINTE, SECTION 9

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

This Second Amendment to First Supplemental Declaration of Covenants, Conditions and Restrictions for Lake Pointe, Section 9 (the "Amendment") is made by GLEN ROSE DEVELOPMENT CORPORATION, a Texas corporation (the "Declarant"), and is as follows:

RECITALS:

A. Declarant recorded that certain First Supplemental Declaration of Covenants, Conditions and Restrictions for Lake Pointe, Section 9 in Volume 13268, Page 466 et seq., of the Real Property Records of Travis County, Texas which was amended by that certain First Amendment to First Supplemental Declaration of Covenants, Conditions and Restrictions for Lake Pointe, Section 9 recorded in Volume 13328, Page 2196, Real Property Records of Travis County, Texas and as further amended from time to time (as amended, the "Declaration") which relates to certain real property (the "Property").

B. The Property is subject to that certain Lake Pointe Declaration of Covenants, Conditions and Restrictions, dated June 29, 1995, recorded in Volume 12474, Page 1631 of the Real Property Records of Travis County, Texas, as the same has been amended by instruments of record in Volume 12926, Pages 833, et seq., Volume 13124, Pages 103, et seq., Real Property Records of Travis County, Texas, and Volume 13346, Page 2240 et. seq., Real Property Records of Travis County, Texas and as the same may be further amended in the future from time to time (the "Master Declaration").

C. Pursuant to Section 2.01 of the Master Declaration and Section 7.02 of the Declaration, the Declaration may be amended by recording in the Real Property Records of Travis County, Texas, an instrument setting forth the amendment, executed and acknowledged by the Declarant, acting alone.

NOW, THEREFORE, the undersigned Declarant hereby declares and certifies and hereby amends and modifies the Declaration, as follows:

1. Roof Slope. Section 2.01(d) of the Declaration is hereby deleted in its entirety and the following is substituted in its place:

"2.01(d) No roof on any residence or garage constructed on a Lot shall have less than a 5/12' roof slope or greater than a 14/12' roof slope."

2. Yard Lighting. Section 2.01(h) of the Declaration is hereby deleted in its entirety and the following is substituted in its place:

"2.01(h) A free standing yard light of design and location approved in advance by the Architectural Control Committee must be installed prior to occupancy of each single family residence. Any yard light other than the free standing yard light described in the preceding sentence

must be of uniform style, selected and approved by the Architectural Control Committee. No outdoor lighting will be permitted which intrudes on any adjacent property or which otherwise creates any lighting nuisance."

3. Garage Orientation/Finish Out. Section 2.01(k) of the Declaration is hereby deleted in its entirety and the following is substituted in its place:

"2.01(k) Except for garages on corner Lots, no garage may face or open toward any street. Garages located on corner Lots may face a street provided the Architectural Control Committee reviews and issues written approval of the location and design of the garage orientation and opening. All garage walls and garage ceilings associated with each single family residence must be finished out, i.e., sheet rocked, textured and painted.

4. Driveways. Section 2.01(p) of the Declaration is hereby deleted in its entirety and the following is substituted in its place:

"2.01(p) The design, construction materials, and location of all driveways shall be approved by the Architectural Control Committee. Driveways shall be a minimum of twelve feet (12') in width at their narrowest point and all driveways shall be located a minimum of seven feet, six inches (7', 6") from any side Lot line. No asphalt driveways shall be permitted. The Architectural Control Committee may establish design and materials requirements for all driveways to insure that they are consistent in appearance throughout the Property."

5. Mandatory Mailbox. New Section 2.01(v) is hereby added to the Declaration and is as follows:

"2.01(v) A free standing mailbox, in a location approved in advance by the Architectural Control Committee, must be installed prior to the residential occupancy of each single family residence. Mailboxes required by this Section must match the exterior masonry material of the residence located on such Lot unless otherwise approved by the Architectural Control Committee."

6. Air-Conditioning Apparatus Location. New Section 2.01(w) is hereby added to the Declaration and is as follows:

"2.01(w) No air-conditioning apparatus shall be installed on the ground in front of a residence or on the roof of any residence. Installed air-conditioning apparatus and ancillary permanent mechanical equipment located on each Lot shall be screened so as not to be visible from any Lot or any street located within or adjacent to the Property. Screening shall consist of a masonry wall and/or fencing, to be determined and approved in advance by the Architectural Control Committee. No window air-conditioning apparatus or evaporative cooler shall be attached to any front wall or front window of a residence or at any other location where such would be visible from any street."

7. Construction Hours. New Section 2.01(x) is hereby added to the Declaration and is as follows:

"2.01(x) Construction of any Improvements shall be restricted to the hours of 7:00 a.m. to 8:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays and Sundays.

8. Restricted Private Gate Access. New Section 2.01(y) is hereby added to the Declaration and is as follows:

"2.01(y) In no circumstance or event shall a private access gate be installed for the purpose of restricting vehicular or pedestrian access to the Condominium Lot.

9. Vegetation Clearance Prohibited. New Section 2.01(z) is hereby added to the Declaration and is as follows:

"2.01(z) No person shall be permitted to remove or clear vegetation located on any Lot or located on any other property within or adjacent to the Property without the advanced written approval of the Architectural Committee. Furthermore, no vegetation may be cleared, removed, or disturbed within any conservation easement shown any plat of the Property.

Executed to be effective this 5th day of July, 1999.

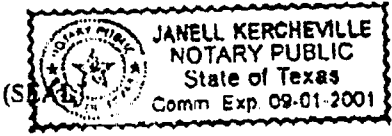
DECLARANT:

GLEN ROSE DEVELOPMENT CORPORATION., a Texas corporation

By: *Donald C. Walden*
Donald C. Walden, President

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 5th day of July, 1999, by Donald C. Walden, President of Glen Rose Development Corporation, a Texas corporation, on behalf of said corporation.



Janell Kercheville
Notary Public Signature

AFTER RECORDING, RETURN TO:
Robert D. Burton
Armbrust Brown & Davis, L.L.P.
100 Congress Avenue, Suite 1300
Austin, Texas 78701