

Doc# 200306007575

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR FAIRWAYS AT SCENIC HILLS, UNIT 1
(Umbrella Declaration)**

STATE OF TEXAS

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COUNTY OF COMAL

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KNOW ALL MEN BY THESE PRESENTS

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THAT THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FAIRWAYS AT SCENIC HILLS, UNIT 1 (hereinafter referred to as "Amendment"), is made on the date hereinafter set forth forth by 196 Scenic Hills, Ltd., a Texas limited partnership (hereinafter referred to as "Declarant"), through GAC Management Co., Ltd., a Texas Limited Partnership, and Integrated Asset Management, Inc., a Texas Corporation, its General Partners acting herein by and through its duly authorized officers.

WITNESSETH

WHEREAS, Declarant is the owner of certain property heretofore platted and subdivided into that certain residential subdivision known as Fairways at Scenic Hills Unit 1, according to plat recorded in Volume 14, Pages 178-182 of the Deed and Plat Records of Comal County and according to plat recorded in Volume 6, Pages 499-503 of the Deed and Plat Records of Guadalupe County (the "Property"); and,

WHEREAS, Declarant heretofore conveyed the Initial Property subject to the Declaration of Covenants, Conditions and Restrictions for Fairways at Scenic Hills Unit 1, recorded in Document #200206038942 of the Real Property Records of Comal County, Texas and Volume 1775, Page 565 of the Real Property Records of Guadalupe County, Texas as the same may be amended from time to time (the "Declaration"), which are for the purpose of establishing a uniform plan for the development, improvement and sale of the Property, together with portions of the Annexable Land from time to time brought within the terms hereof pursuant hereto, and to insure the preservation of such uniform plan for the benefit of both present and future owners of the residential subdivision Lots within said lands; and,

WHEREAS, Article XII, Section 5 of the Declaration provides that the Declaration may be amended by an instrument so long as Declarant owns at least ninety percent (90%) of the number of Lots within the portion(s) of the Property to be so affected.

NOW, THEREFORE, Declarant hereby amends and restates the second paragraph of Article X, Section 27 (Walls and Fences) as follows:

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"Notwithstanding the above, Lots that back or side to the Golf Course shall not be allowed to use wood fences. These Lots are not required to install a fence; however, if a fence is installed, it is subject to the requirement of uniform fencing of ornamental metal to be constructed and maintained in a design herein provided as Exhibit "A". Any changes to this design must be approved by the New Construction Committee. Furthermore, fencing on the rear of Lots 21, 22 and 23, Block 12, if built, must be placed ten and one-half feet inside the rear property line."

Except as otherwise defined herein, all other conditions, covenants and restrictions will remain in the same force and effect as described in the Declaration.

IN WITNESS WHEREOF, this Amendment is executed this the 11th day of February, 2003.

DECLARANT:

196 SCENIC HILLS, LTD.,
a Texas limited partnership

By: GAC Management Co., Ltd.
General Partner

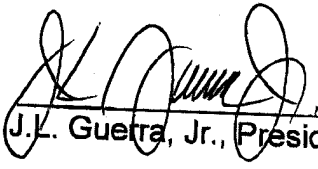
By: GA Companies, LLC,
General Partner

By:


Israel Fogiel, President

By: Integrated Asset Management, Inc.
General Partner

By:


J.L. Guerra, Jr., President

Doc# 200306007575

STATE OF TEXAS

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COUNTY OF BEXAR

This instrument was acknowledged before me on the 11th day of February, 2003, by Israel Fogiel, President of GA Companies, LLC, a Texas Limited Liability Company, General Partner of GAC Management Co, Ltd., a Texas Limited Partnership, General Partner of 196 Scenic Hills, Ltd., a Texas limited partnership, on behalf of said entities.



Marian G. Adams
Notary Public in and for the State of Texas

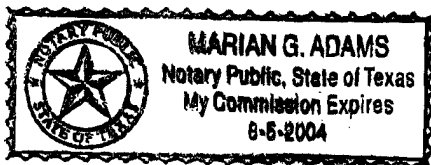
Commission Expiration Date: 8/5/04

STATE OF TEXAS

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COUNTY OF BEXAR

This instrument was acknowledged before me on the 11th day of February, 2003, by J.L. Guerra, Jr., President of Integrated Asset Management, Inc., a Texas Corporation, General Partner of 196 Scenic Hills, Ltd., a Texas limited partnership, on behalf of said entities.



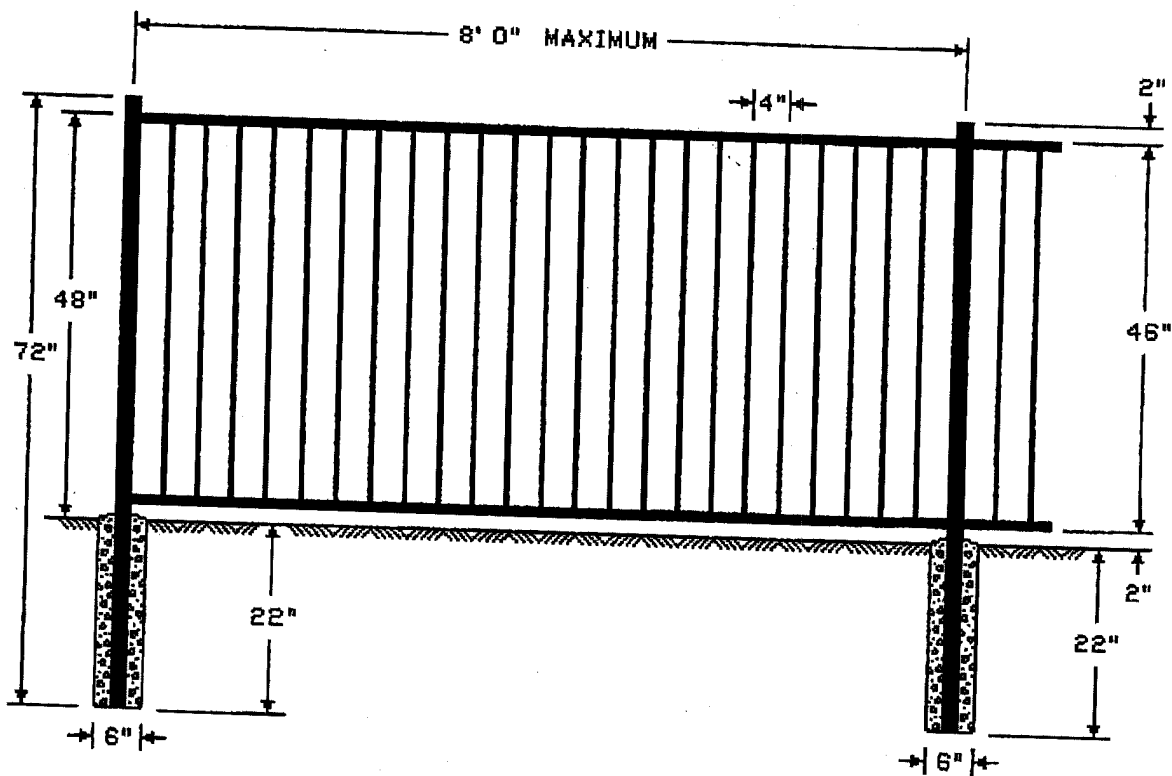
Marian G. Adams
Notary Public in and for the State of Texas

Commission Expiration Date: 8/5/04

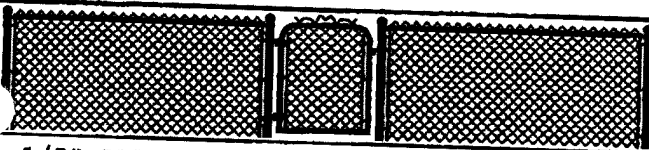
AFTER RECORDING, RETURN TO
196 SCENIC HILLS, LTD.
8000 IH-10 WEST, SUITE 700
SAN ANTONIO, TEXAS 78230

Doc# 200306007575

EXHIBIT "A"



SCENIC HILLS
RAIL 1" X 14 GA. SQUARE TUBE
PICKETS 1/2" X 16 GA. SQUARE TUBE
POST 2" X 14 GA. SQUARE TUBE
PRIMER RED OXIDE
PAINT BLACK ENAMEL



S.A. QUALITY FENCE CO., INC.
 13115 WETMORE ROAD
 SAN ANTONIO, TX 78247
 210-545-6767

1/2" PLAIN PICKET (4" O.C.) 2 RAIL FRAMED FENCE
 (4' HIGH)

DRAWN BY: JMO 02/05/95

SCALE: NONE

PAGE:

REVISED: JMO 02/20/03

FILE: Scenic H

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Doc# 200306007575
Pages 5
03/04/2003 12:31:58 PM
Filed & Recorded in
Official Records of
COMAL COUNTY
JOY STREATER
COUNTY CLERK
Fees \$17.00

STATE OF TEXAS
COUNTY OF COMAL

This is to certify that this document was
FILED and RECORDED in the Official
Public Records of Comal County, Texas
on the date and time stamped thereon.

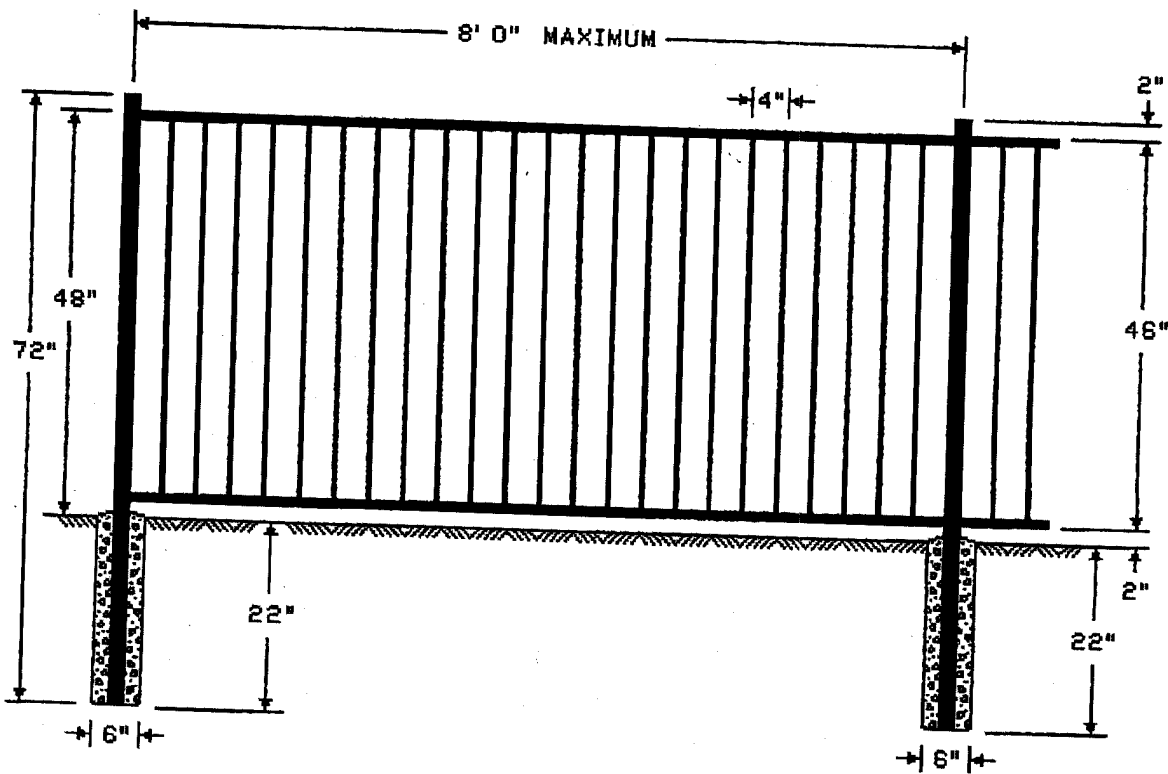


Joy Streater
COUNTY CLERK

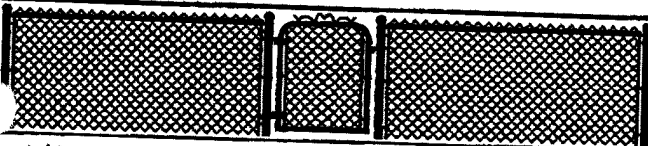
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1 of 1

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FILED FOR RECORD

2003 MAR -4 PM 12:08

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY Schulian Wells

THE STATE OF TEXAS
COUNTY OF GUADALUPE

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
Official Public Records of Guadalupe County,
Texas.



Teresa Kiel
County Clerk
Guadalupe County Texas

C/11/11