

09/526606/PA/LIC4



AMEND  
2 PGS

2005096150

**FOURTH AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR GREENSHORES ON LAKE AUSTIN**

THE STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS           §

This Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Greenshores on Lake Austin is made to be effective the date set forth below by PK-RE, LTD., a Texas limited partnership ("Declarant").

**RECITALS:**

A. By Declaration of Covenants, Conditions and Restrictions for Greenshores on Lake Austin ("Declaration") dated July 9, 2003, recorded on February 4, 2004, under Document No. 2004021295 of the Official Public Records of Travis County, Texas, Marion Dudley Fowler, Susan K. Adler, Trustee of the Carol McMurtry Fowler Charitable Remainder Trust, Robert Penn Fowler, Bradley A. Fowler and Sally Pope Fowler (collectively, the "Original Declarant") imposed certain covenants, restrictions, charges and liens upon certain real property as set forth therein.

B. Original Declarant assigned its rights and privileges as "Declarant" under the Declaration to Declarant herein by Assignment of Rights of Declarant recorded under Document No. 2004209750 of the Official Public Records of Travis County, Texas.

C. The Declaration has been amended by First Amendment dated April 6, 2004, recorded under Document No. 2004065151 of the Official Public Records of Travis County, Texas, by Second Amendment dated February 11, 2005, recorded under Document No. 200525548 of the Official Public Records of Travis County, Texas, and by Third Amendment dated February 11, 2005, recorded under Document No. 2005025552 of the Official Public Records of Travis County, Texas (the Declaration, as amended, is hereinafter referred to as the "Declaration")

D. Declarant has entered into an Annexation and Development Agreement with the City of Austin dated effective January 24, 2005, providing for the annexation of the Property by the City of Austin and the consent of each Owner to such annexation as provided therein.

E. Section 10.02 of the Declaration provides that Declarant has the right to amend the Declaration without the consent or joinder of any other Owner at any time and from time to time as long as Declarant owns at least one Lot within the Property covered by the Declaration.

F. Declarant owns more than one Lot within the Property covered by the Declaration and desires to amend the Declaration as hereinafter set forth.

NOW, THEREFORE, Declarant hereby declares as follows:

1. Consent to Annexation. Article III of the Declaration is hereby amended to add the following Section 3.18 thereto:

Section 3.18 Consent to Annexation.

Pursuant to the terms of that certain Annexation and Development Agreement between PK-RE, Ltd. and the City of Austin effective January 24, 2005, recorded under Document No. 20052550 of the Official Public Records of Travis County, Texas, PK-RE, Ltd., on behalf of itself and all other Owners of any part of the Property, and the City of Austin agreed to postpone annexation of the Property for a certain number of years, and thereafter the Owners have consented and agreed that the City of Austin has the right to annex portions of the Property within the limited and full purpose city limits, as set forth in Sections 5.01 and 5.02 of said Agreement.

Each Owner, on behalf of himself and his successors and assigns, consents to and requests limited and full purpose annexation by the City of Austin in accordance with the schedule set forth in said Agreement.

2. Effective Date. This Fourth Amendment is executed this the 26<sup>th</sup> day of MAY, 2005, to be effective January 24, 2005.

PK-RE, LTD.,  
a Texas limited partnership

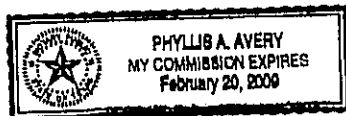
By: PK-RE Development Company, Inc.,  
a Texas corporation, its General Partner

By: [Signature]  
Russell Eppright, President

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 26 day of May, 2005, by Russell Eppright, as President of PK-RE Development Company, Inc., a Texas corporation, on behalf of said corporation as General Partner of PK-RE, LTD., a Texas limited partnership, on behalf of said limited partnership.



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

After recording please return to:  
R. Alan Haywood  
P.O. Box 98  
Austin, Texas 78767

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

[Signature]

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CORTEZY \$16.00

DANA DEBEAUVOIR COUNTY CLERK  
TRAVIS COUNTY TEXAS