

STATE OF TEXAS §
 §
COUNTY OF GILLESPIE §

KNOW ALL MEN BY THESE PRESENTS:

AFFIDAVIT OF JERRY DURR

BEFORE ME, the undersigned authority, on this day personally appeared Jerry Durr, who being known to me, and being by me first duly sworn, deposed and said as follows:

"My name is Jerry Durr. I have personal knowledge of all facts stated in this Affidavit, and they are all true and correct. I am the Secretary for Heritage Hill Country Association, Inc. According to the records of Heritage Hill Country Association, U. S. Home Development Company no longer owns a Lot or Parcel for development and sale in Heritage Hill Country. Therefore, the Third Amendment to Declaration of Covenants, Conditions and Restrictions for Heritage Hill Country, executed on November 28, 2001, is no longer in effect."

FURTHER AFFIANT SAITH NOT.

JERRY DURR

SUBSCRIBED AND SWORN TO BEFORE ME on this _____ day of _____, 2008, to certify which witness my hand and official seal.

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

Judi Synek
130 W. Creekview Drive
Fredericksburg, Texas 78624