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*Serene Hills*

LUXURY LIVING IN THE HILLS

**FOURTH AMENDMENT TO  
DECLARATION OF  
COVENANTS, CONDITIONS  
AND RESTRICTIONS**

**FOR**

**SERENE HILLS**

**FOURTH AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
SERENE HILLS**

This Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Serene Hills (this "**Fourth Amendment**") is made this 12th day of December, 2013 by Serene Hills, Ltd., a Texas limited partnership (the "**Declarant**"), and is as follows:

**RECITALS**

WHEREAS, Serene Hills, a subdivision located in Travis County, Texas (the "**Property**"), was established pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Serene Hills recorded as Document No. 2012105853, Official Public Records of Travis County, Texas (the "**Original Declaration**"), as amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for Serene Hills recorded as Document No. 2012171312, Official Public Records of Travis County, Texas (the "**First Amendment**"), as further amended by that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions for Serene Hills recorded as Document No. 2013017166, Official Public Records of Travis County, Texas (the "**Second Amendment**") and as further amended by that certain Third Amendment to Declaration of Covenants, Conditions and Restrictions for Serene Hills recorded as Document No. 2013080290, Official Public Records of Travis County, Texas (the "**Third Amendment**") (the Original Declaration, First Amendment, Second Amendment and Third Amendment are collectively referred to as the "**Declaration**"); and

WHEREAS, Section 2.03 of the Declaration sets forth provisions pertaining to the powers of the Developer with respect to the addition of Additional Land to the Property and the subsection of such Additional Land to the Declaration; and

WHEREAS, pursuant to Section 9.03(A) of the Declaration, Declarant may amend the Declaration so long as Declarant owns or controls any of the Property or the Additional Land; and

WHEREAS, as of the date hereof, Declarant owns or controls a portion of the Property and the Additional Land; and

WHEREAS, in exercise of its rights under Section 9.03(A) of the Declaration, Declarant desires to amend Section 2.03 of the Declaration as set forth herein.

NOW THEREFORE, THE DECLARATION IS HEREBY AMENDED AS FOLLOWS:

1. Addition of Land. Section 2.03 states that the land which Declarant shall be entitled to add to the Property shall include the property described on Exhibit "B" to the Declaration, referred to in the Declaration as the "Additional Land." This Fourth Amendment hereby removes from the definition of Additional Land the 6.068 acres of land being conveyed by Developer to a third party, and more

particularly described by metes and bounds on the attached Exhibit "A". The remainder of Section 2.03 shall remain unmodified.


2. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Fourth Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

IN WITNESS WHEREOF, Declarant has executed this Fourth Amendment on the date set forth above.

**DECLARANT:**

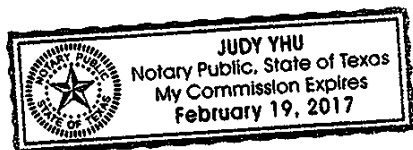
**SERENE HILLS, LTD.,**  
a Texas limited partnership

By: ES-DH Serene, LLC,  
a Texas limited liability company,  
its general partner

By:   
Douglas Hunter,  
Member and Authorized Signatory

**THE STATE OF TEXAS** §  
§  
**COUNTY OF TRAVIS** §

This instrument was acknowledged before me on the 12<sup>th</sup> day of December, 2013, by Douglas Hunter, Member and Authorized Signatory for ES-DH Serene, LLC, a Texas limited liability company, the general partner of Serene Hills, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.



(seal)

  
Notary Public Signature

**AFTER RECORDING, RETURN TO:**

McLean & Howard, LLP  
Attn: William P. McLean  
Barton Oaks Plaza, Building II  
901 S. Mopac Expressway, Suite 225  
Austin, Texas 78746

Unofficial

Copy

**EXHIBIT "A"**

**DESCRIPTION OF A 6.068 ACRE TRACT PREPARED BY DELTA SURVEY GROUP INC., IN OCTOBER 2012, LOCATED IN THE J.A. POLVADO SURVEY NUMBER 547, ABSTRACT 645 AND THE O. WOLFE SURVEY NUMBER 182, ABSTRACT 2282 TRAVIS COUNTY, TEXAS, BEING A PORTION OF A REMAINDER OF A 456.978 ACRE TRACT CONVEYED TO SERENE HILLS LTD., IN DOCUMENT NUMBER 20070779264 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 6.068 ACRE TRACT AS SHOWN ON ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**COMMENCING** at a 1/2 inch iron rod found for an angle point in the east line of said 456.978 acre tract, same being an angle point in the west line of Falconhead West, Phase 1, Section 2 & Phase 2 Final Plat, a subdivision of record in Document Number 200800106, Official Public Records, Travis County, Texas, also being an angle point in the east line of a 15.747 acre tract described in Document Number 2011084172, Official Public Records, Travis County, Texas, for the **POINT OF COMMENCING**;

**THENCE** leaving said east and west line and crossing said 15.747 acre tract S61°42'43"W a distance of 214.25 feet to a 1/2 inch iron rod with "DELTA SURVEY" cap set in the west line of said 15.747 acre tract, same being the northeast corner of the herein described tract, also being in an east line of said remainder tract for the **POINT OF BEGINNING**;

**THENCE** with an east line of said remainder tract, same being a west line of said 15.747 acre tract the following six (6) courses and distances:

1. S 26°33'54" E a distance of 37.22 feet to a calculated point;
2. with a curve to the right with an arc length of 61.68 feet, with a radius of 75.00 feet, with a chord bearing of S 03°00'16" E, with a chord length of 59.95 feet to a calculated point;
3. S 20°33'22" W a distance of 414.19 feet to a calculated point;
4. S 18°26'06" E a distance of 299.70 feet to a calculated point;
5. S 11°04'51" E a distance of 275.81 feet to a calculated point, and;

6. S 05°46'57" W a distance of 165.95 feet to a calculated point for the southwest corner of said 15.747 acre tract, same being in the north line of a 21.753 acre tract described in Document Number 2011006950, Official Public Records, Travis County, Texas, from which an iron rod with "DELTA SURVEY" cap found for the southeast corner of said 456.978 acre tract, same being the southeast corner of said 21.753 acre tract, also being in the north right-of-way (ROW) of State Highway 71 (ROW varies), also being the southwest corner of said Falconhead West Subdivision bears the following two (2) courses and distances:

1. S 89°53'17" E a distance of 180.70 feet to a calculated point, and;
2. S 00°06'43" E a distance of 999.00 feet;

THENCE continuing with the north line of said 21.753 acre tract, same being a south line of said remainder tract the following nine (9) courses and distances:

1. N 90°00'00" W a distance of 146.29 feet to a calculated point;
2. N 06°25'08" E a distance of 168.25 feet to a calculated point;
3. N 13°00'41" W a distance of 226.97 feet to a calculated point;
4. N 18°26'06" W a distance of 224.71 feet to a calculated point;
5. S 54°27'47" W a distance of 342.98 feet to a calculated point;
6. S 12°33'35" W a distance of 48.03 feet to a calculated point;
7. S 15°15'18" W a distance of 119.14 feet to a calculated point;
8. N 74°03'17" W a distance of 136.93 feet to a calculated point, and;
9. N 17°52'43" E passing at a distance of 156.83 feet a ½ inch iron rod with "DELTA SURVEY" cap set at a north corner of said 21.753 acre tract, same being the southeast corner of a 3.273 acre tract described in Document Number 2011084172, Official Public Records, Travis County, Texas, continuing for a total distance of 204.22 feet to a ½ inch iron rod with "DELTA SURVEY" cap set in the east line of said 11.634 acre tract, same being a west line of said remainder tract;

THENCE continuing with the east line of said 11.634 acre tract, same being a west line of said remainder tract the following three (3) courses and distances:

1. N 22°45'21" E a distance of 54.06 feet to a ½ inch iron rod with "DELTA SURVEY" cap set;
2. N 52°52'57" E a distance of 4.14 feet to a calculated point, and;

4. N 54°27'44" E, passing at a distance of 129.51 feet a calculated point for the northeast corner of said 3.273 acre tract, same being a southeast corner of an 11.634 acre tract described in Document Number 2011084172. Official Public Records, Travis County, Texas, continuing for a total distance of 420.89 feet to a ½ inch iron rod with "DELTA SURVEY" cap set in the east line of said 11.634 acre tract;


THENCE continuing with the east line of said 11.634 acre tract, same being a west line of said remainder tract N 20°33'22" E a distance of 385.18 feet to a ½ inch iron rod with "DELTA SURVEY" cap set;

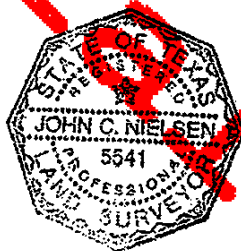
THENCE leaving the east line of said 11.634 acre tract and crossing said remainder tract N 61°42'43" E a distance of 150.06 feet to the **POINT OF BEGINNING** and containing 6.068 acres of land, more or less.

**BEARING BASIS:** Texas State Plane Coordinate System, Central Zone, NAD 83/HARN

I, John C. Nielsen hereby certify that the foregoing description represents an on-the-ground survey performed under my direction and supervision during October 2012, and is true and correct to the best of my knowledge and belief.

Date: 10-17-12

  
John C. Nielsen  
Registered Professional Land Surveyor  
No. 5541-State of Texas



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

  
DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

December 17 2013 03:00 PM

FEE: \$ 50.00 2013221191