



STATE OF TEXAS §

COUNTY OF TRAVIS §

FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
THE ESTATES AT EANES CREEK

Document reference. Reference is hereby made to that certain Declaration of Covenants, Conditions and Restrictions for The Estates at Eanes Creek filed as Document No. 2008098800 in the Official Public Records of Travis County, Texas (the "Declaration").

WHEREAS the Section 9.02(A) of the Declaration authorizes the undersigned Declarant to unilaterally amend the Declaration, without the consent or joined of any other owners of lots subject to the Declaration, for so long as the Declarant owns at least one of the lots subject to the Declaration; and

WHEREAS the Declarant owns at least one of the lots subject to the Declaration and desires to amend the Declaration as provided herein;

THEREFORE the Declaration has been, and by these presents is, amended as provided below.

1. **Section 1.04 is AMENDED and RESTATED to read in its entirety as follows:**

"1.04 **Association** shall mean and refer to the Estates at Eanes Creek Homeowners Association, Inc., its successors or assigns."

2. **The title of Article V is AMENDED and RESTATED to read as follows:**

"THE ESTATES AT EANES CREEK HOMEOWNERS ASSOCIATION"

3. **The first clause of the first sentence in Section 5.01 is AMENDED and RESTATED to read in its entirety as follows:**

"The Estates at Eanes Creek Homeowners Association, Inc. is a nonprofit Texas corporation created for the purposes..."

4. **By adding to the end of Section 4.10 (Landscaping) the following language:**

"Each Owner shall be responsible for maintaining the landscaping on his Lot in a clean, attractive and healthy condition at all time, including regular irrigation, mowing, trimming, pruning and, as necessary, replacement of sod, plants, shrubs and other landscape elements. The Board shall have the sole discretion of determining whether Lot landscaping is being maintained to the required standard."

5. **By amending and restating Section 4.11 (Fencing) so that it reads in its entirety as follows:**

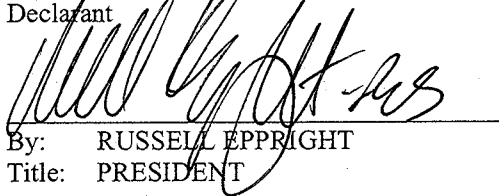
"4.11 **Fencing.** All fences must be approved by the Architectural Committee before installation. The related application to the Architectural Committee must be made in writing and must include the type, height and location of the proposed fencing, along

with whatever additional information the Architectural Committee deems necessary. All fences shall be constructed of wrought iron or stone, except the perimeter fence or other fencing constructed by the Declarant."

Subject solely to the amendments contained herein, the Declaration remains in full force and effect.

BELLA STRADA DEVELOPMENT, INC.

Declarant

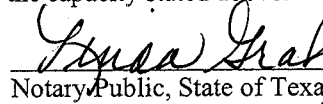

By: RUSSELL EPPRIGHT
Title: PRESIDENT

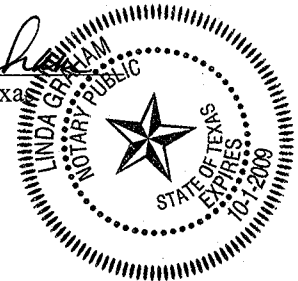
Acknowledgement

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This instrument was executed before me on the 22nd day of October, 2008, by Russell Eppright in the capacity stated above.


Notary Public, State of Texas



After recording, please return to:
Niemann & Niemann, L.L.P.
Attorneys At Law
Westgate Building, Suite 313
1122 Colorado Street
Austin, Texas 78701

Fileserver:CLIENTS:EstatesAtEanesCreek:DeclAmend10-08V2.doc

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OFFICIAL PUBLIC RECORDS



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DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS