

**AMENDMENT TO AND  
SECOND SUPPLEMENTAL DECLARATION FOR  
DECLARATION OF PROTECTIVE COVENANTS  
FOR CREEK ROAD RANCH**

THE STATE OF TEXAS  
  
COUNTY OF HAYS

§  
§  
§

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OPR 3048 89

This Amendment to and Second Supplemental Declaration for Declaration of Protective Covenants for Creek Road Ranch (this "Supplemental Declaration") is made to be effective as of the date recorded in the Official Public Records of Hays County, Texas, with respect to the following facts:

A. The Declaration of Protective Covenants for Creek Road Ranch is recorded in Volume 2041, Page 548, Official Public Records of Hays County, Texas (the "Declaration"). The Declaration has been supplemented and modified by a First Supplemental Declaration for Declaration of Protective Covenants for Creek Road Ranch, recorded in Volume 2463, Page 705, Official Records of Hays County, Texas (the "First Supplement").

B. Creek Road Ranch, Inc., a Texas corporation ("Declarant"), is the "Declarant" under the Declaration.

C. Article X, Section 10.1 of the Declaration permits Declarant to annex property within the scheme of the Declaration and to modify the Declaration as may be appropriate for such property. Article XI, Section 11.4 of the Declaration permits Declarant to amend the Declaration.

NOW, THEREFORE, Declarant declares as follows:

1. Addition to Property Subject to Declaration. In accordance with Article X, Section 10.1 of the Declaration, the following described property (the "Added Tract") is hereby annexed into the property subject to the Declaration.:

All of Section Three of CREEK ROAD RANCH, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Book 13, Pages 263-265, Plat Records of Hays County, Texas.

2. Effect of Declaration as to the Added Tract. As provided in Article 2, Section 2.1 of the Declaration, upon the recording of this Supplemental Declaration, except as expressly modified herein, the Declaration, and the covenants, conditions, restrictions and obligations set forth in same, shall apply to the Added Tract and the rights, privileges, duties and liabilities of the persons subject to the Declaration shall be the same with respect to the Added Tract as with respect to the lands originally covered by the Declaration.

3. Inclusive Building Area. The Inclusive Building Area for each Lot within the Added Tract is so designated on Exhibit A attached hereto.

4. Pasture Area. The Pasture Area for each Lot within the Added Tract is so designated on Exhibit A attached hereto.

5. Scenic Buffer Easement. The Scenic Buffer Easement for each Lot within the Added Tract is so designated on Exhibit A attached hereto.

6. Correction of Exhibits to Declaration and First Supplement. Page 2 of 7 of Exhibit "A" to the Declaration is deleted, and the Exhibit attached hereto and labeled "Exhibit A of Original Declaration -- Page 2 of 7" is substituted in its place for all purposes. Page 2 of 12 of Exhibit "A" to the First Supplement is deleted, and the Exhibit attached hereto and labeled "Exhibit A of First Supplement -- Page 2 of 12" is substituted in its place for all purposes. Page 12 of 12 of Exhibit "A" to the First Supplement is deleted, and the Exhibit attached hereto and labeled "Exhibit A of First Supplement -- Page 12 of 12" is substituted in its place for all purposes. The substituted Exhibits change the term "Pasture Easement" to "Pasture Area" to conform with the defined terms in the Declaration.

7. Water Well. The Declaration is amended by adding the following paragraphs thereto:

**Common Irrigation Well.** Declarant has drilled a well within the Common Area to provide **NON-POTABLE WATER ONLY** for irrigation purposes, and will convey the well to the Association. The well will provide water for Common Area irrigation, and the cost of providing such water to Common Areas shall be reimbursed to the Association through the Regular Assessments. To the extent excess water is available, the Association may contract with individual Owners to provide water for irrigation purposes to the individual Lots, subject to payment of such fees and expenses for the use of such water, and in accordance with such rules and regulations, as the Board may determine appropriate from time to time. The rules and regulations governing use of the well will include the right to suspend the right to use the well from time to time as the Board, in the Board's discretion, deems prudent to address current conditions.

**NO DRINKING.** DECLARANT AND THE ASSOCIATION HEREBY ADVISE EACH OWNER THAT ANY WATER PROVIDED BY THE WELL DESCRIBED ABOVE IS NON-POTABLE, AND MAY NOT BE USED FOR DRINKING PURPOSES.

8. Definitions: Ratification. Capitalized terms used in this Supplemental Declaration and not otherwise defined shall have the same meaning as set forth in the Declaration. Expressly as expressly provided herein, Declarant hereby ratifies and confirms the Declaration in all respects.

Executed on the date set forth below to be effective the date first stated above.

DECLARANT:

**CREEK ROAD RANCH, INC.**, a Texas corporation

By: Whit H. Hanks  
Whit H. Hanks, President

THE STATE OF TEXAS §

COUNTY OF HAYS §

This instrument was acknowledged before me on Nov. 6, 2006, by Whit H. Hanks, President of **CREEK ROAD RANCH, INC.**, a Texas corporation, on behalf of said corporation.



Gail Hagemann  
NOTARY PUBLIC, State of Texas  
Print Name: \_\_\_\_\_

**List of Exhibits:**

- Exhibit A (maps showing inclusive building area, pasture areas and scenic buffer easements within the Added Tract)
- Exhibit A of Original Declaration Page 2 of 7 (map showing inclusive building area, pasture areas and scenic buffer easements within Lot 2, Section 1 of Creek Road Ranch)
- Exhibit A of First Supplement Page 2 of 12 (map showing inclusive building area, pasture areas and scenic buffer easements within Lot 1, Section 2 of Creek Road Ranch)
- Exhibit A of First Supplement Page 12 of 12 (map showing inclusive building area, pasture areas and scenic buffer easements within Lot 11, Section 2 of Creek Road Ranch)

**AFTER RECORDING, PLEASE RETURN TO:**

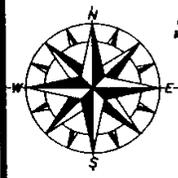
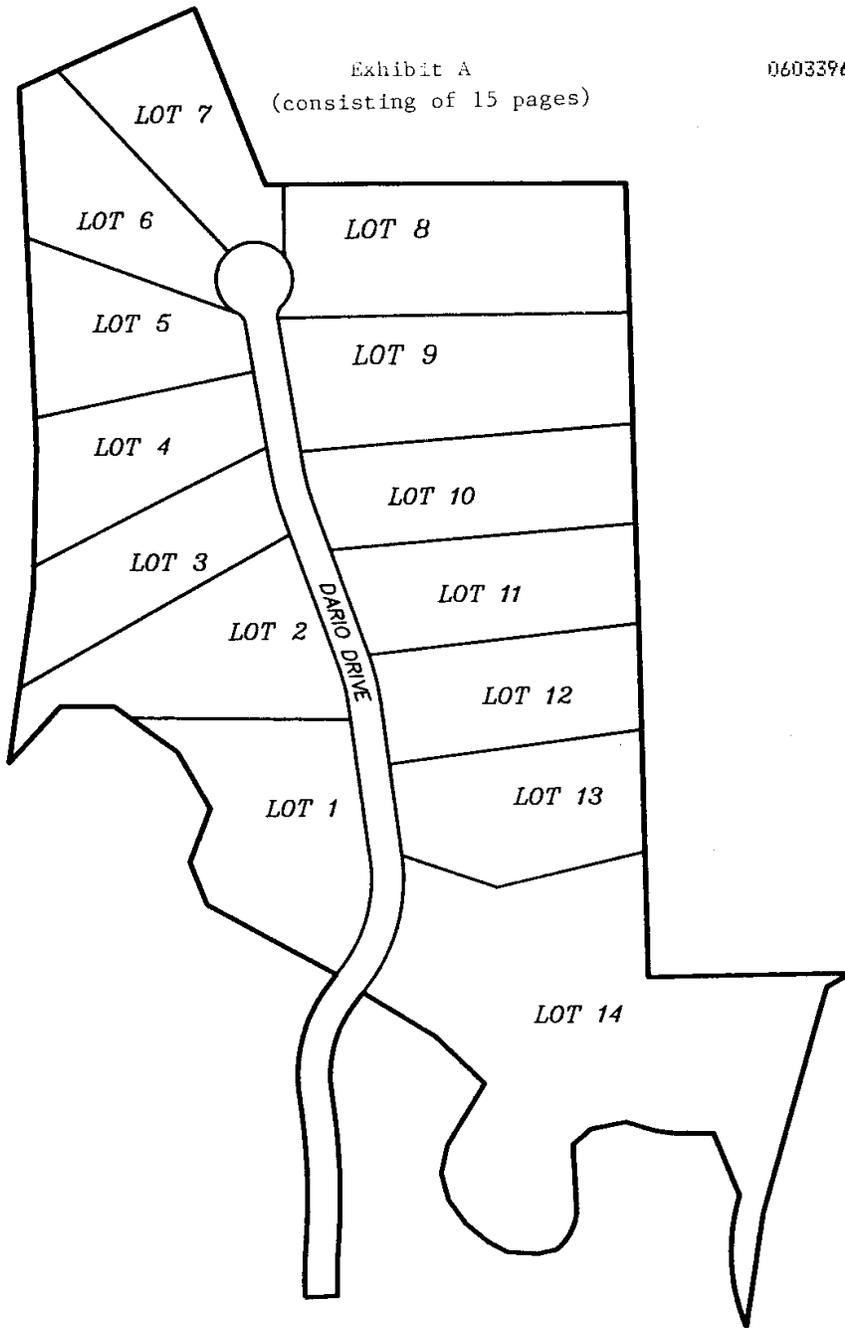
Ann E. Vanderburg  
Hurst, Savage & Vanderburg, L.L.P.  
814 W. Tenth Street  
Austin, Texas 78701

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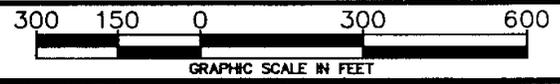
Exhibit A  
(consisting of 15 pages)

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**STAUDT SURVEYING, INC.**  
Thomas E. Staudt  
RPLS # 3984  
P.O. Box 1273  
Dripping Springs, Texas 78620  
(512)858-2236

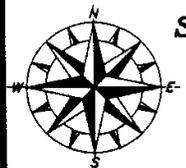
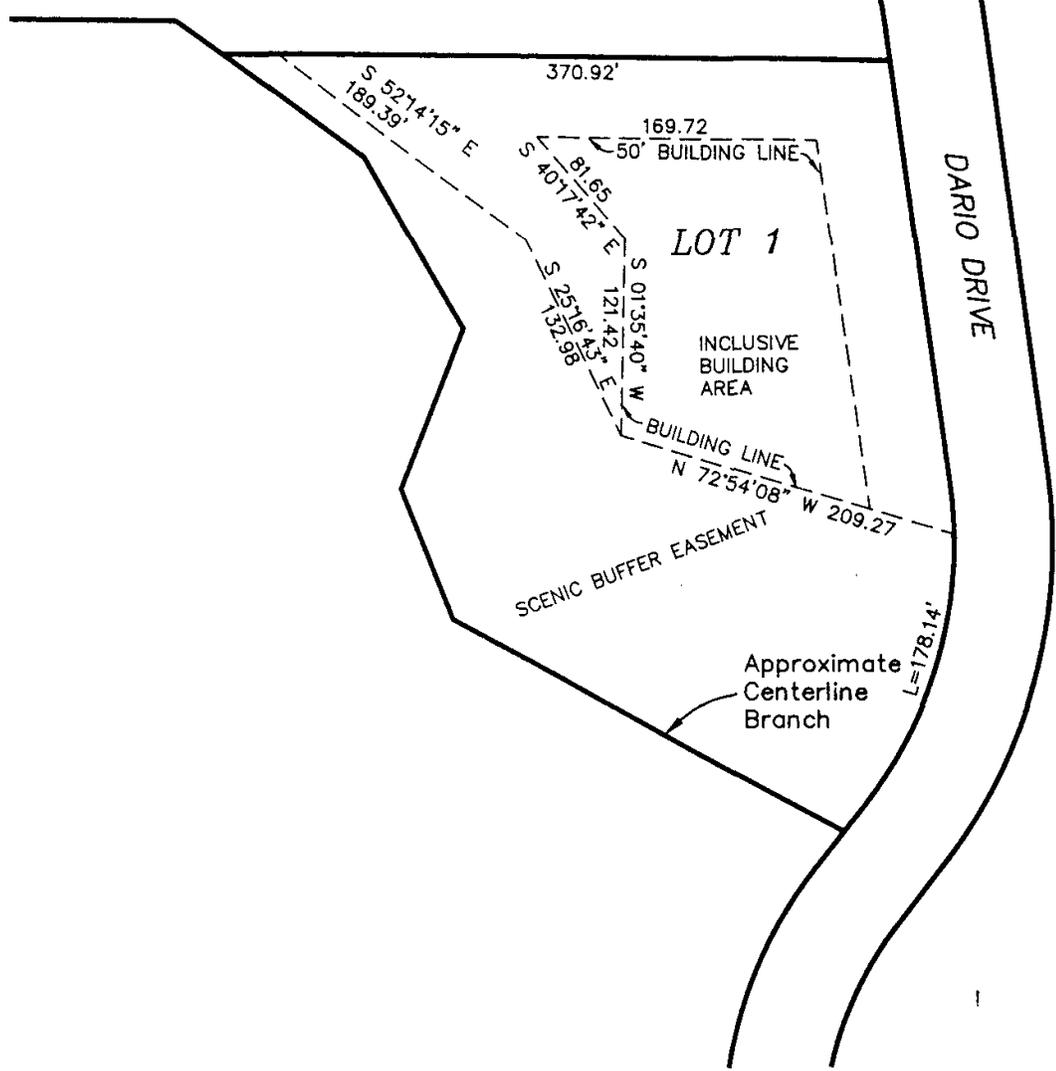
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**CREEK ROAD RANCH**  
SECTION THREE  
HAYS COUNTY, TEXAS



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PROTECTIVE COVENANTS EXHIBIT "A"  
**LOT 1**  
**CREEK ROAD RANCH**  
**SECTION THREE**  
 HAYS COUNTY, TEXAS



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Date: AUGUST 2006

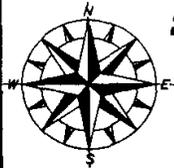
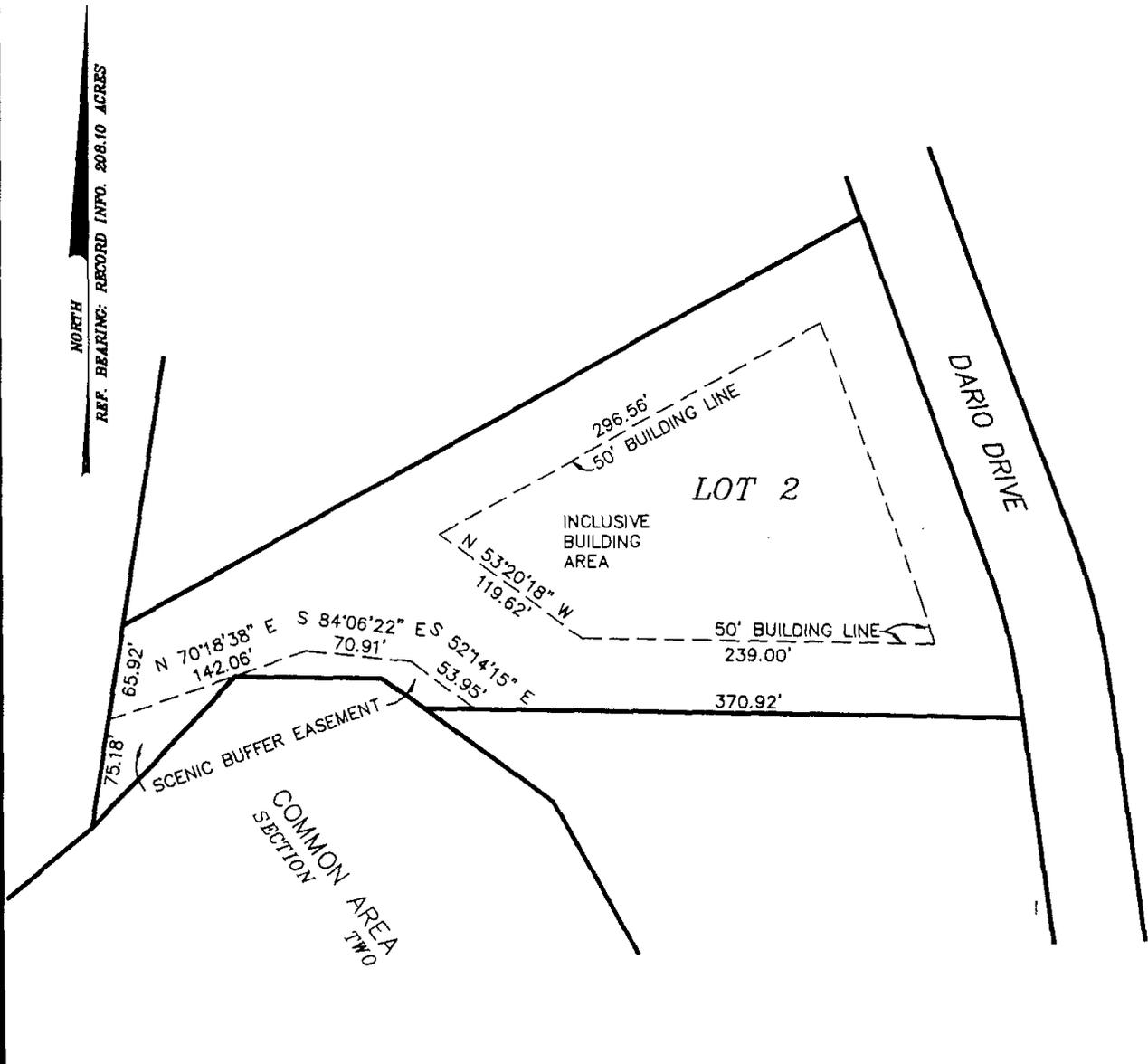
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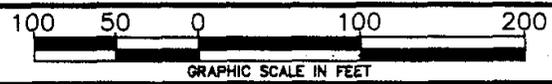


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PROTECTIVE COVENANTS EXHIBIT "A"

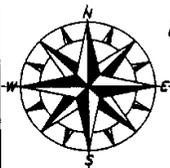
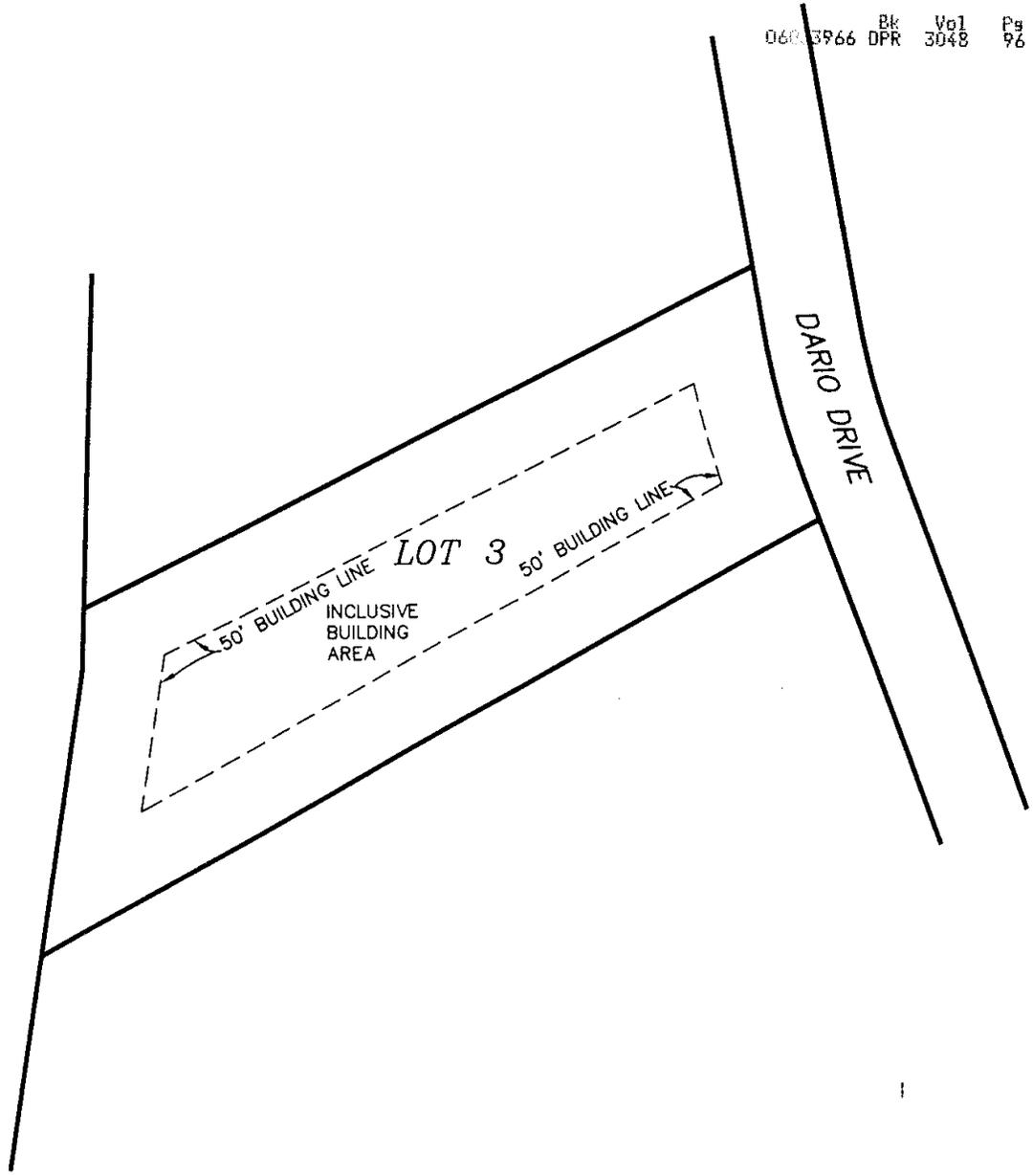
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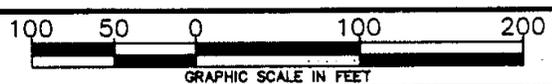


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RPLS # 3984  
P.O. Box 1273  
Dripping Springs, Texas 78620  
(512)858-2236

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**CREEK ROAD RANCH**  
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HAYS COUNTY, TEXAS



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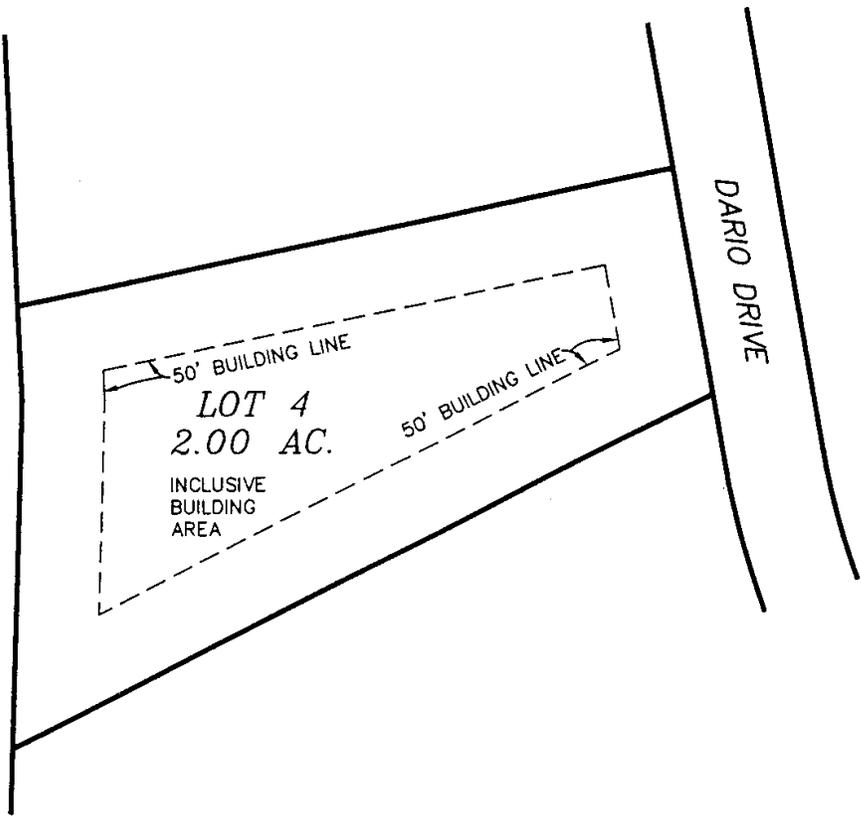
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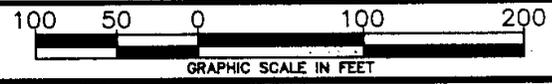


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RPLS # 3984  
P.O. Box 1273  
Dripping Springs, Texas 78620  
(512)858-2236

PROTECTIVE COVENANTS EXHIBIT "A"

**LOT 4**  
**CREEK ROAD RANCH**  
**SECTION THREE**  
HAYS COUNTY, TEXAS



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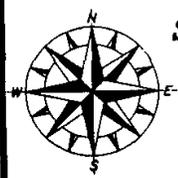
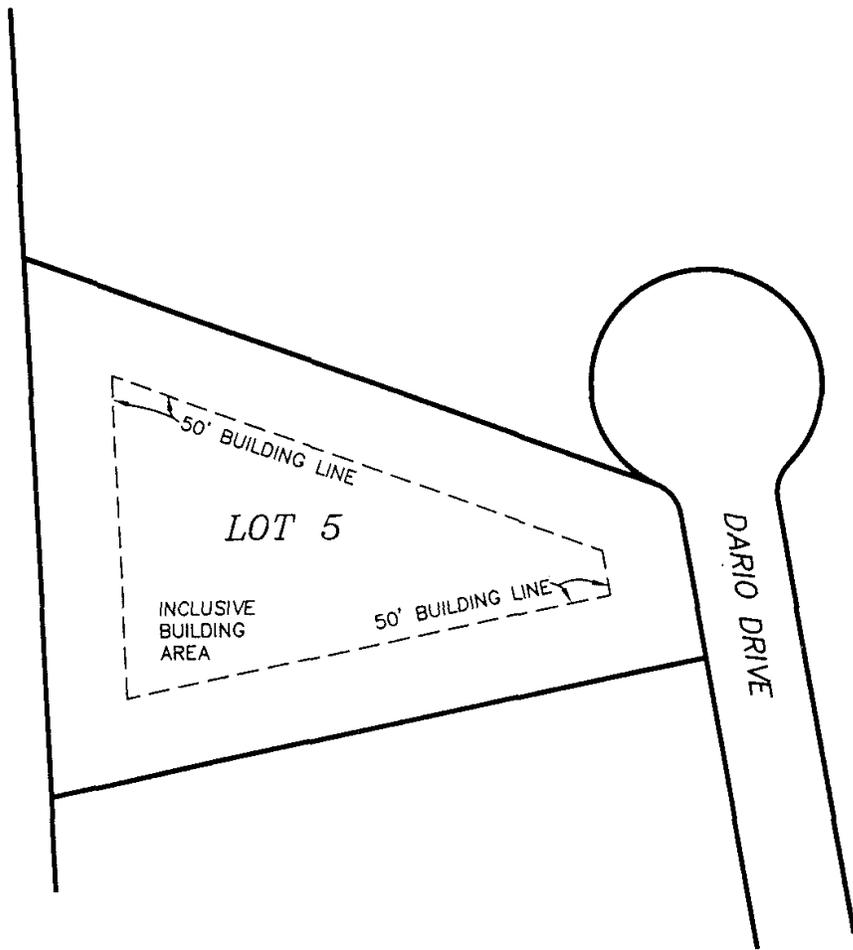
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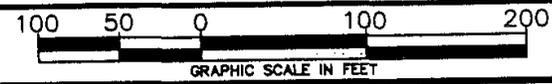


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P.O. Box 1273  
Dripping Springs, Texas 78620  
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PROTECTIVE COVENANTS EXHIBIT "A"

**LOT 5**  
**CREEK ROAD RANCH**  
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HAYS COUNTY, TEXAS



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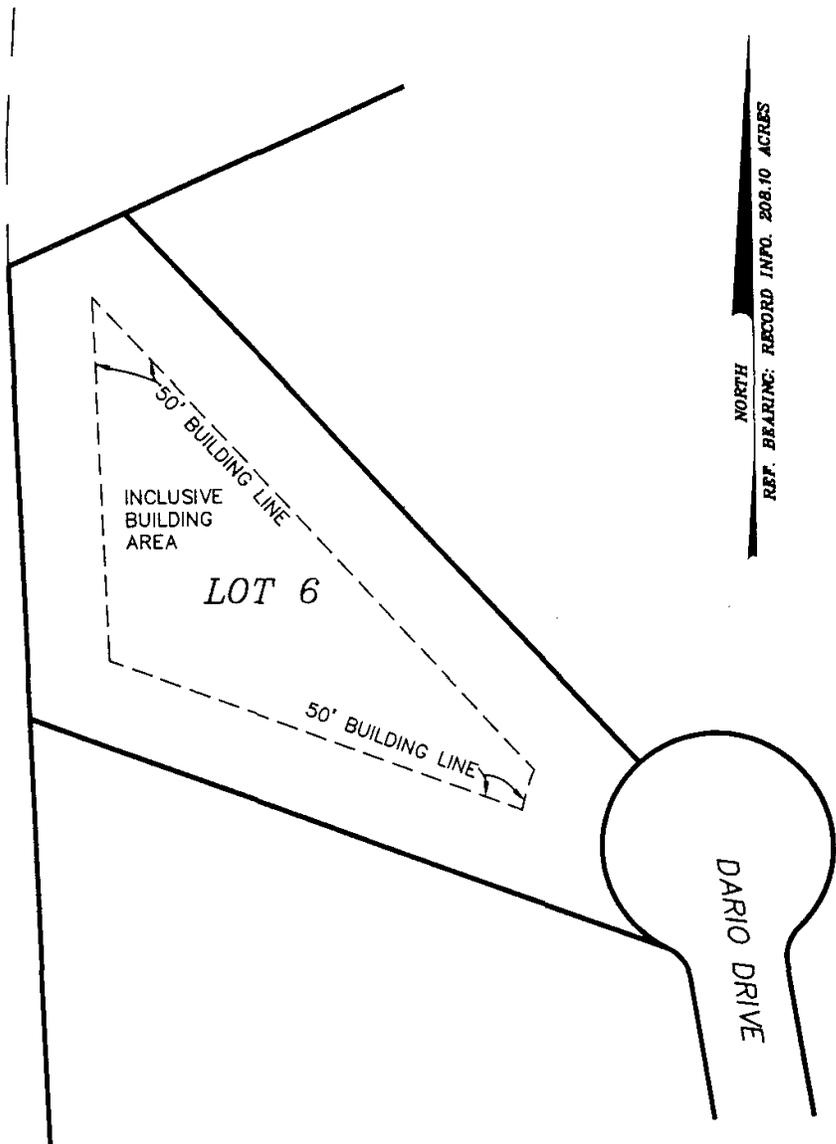
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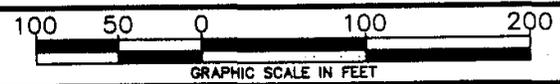
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RPLS # 3984  
P.O. Box 1273  
Dripping Springs, Texas 78620  
(512)858-2236

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HAYS COUNTY, TEXAS



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Date: AUGUST 2006

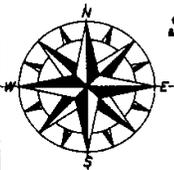
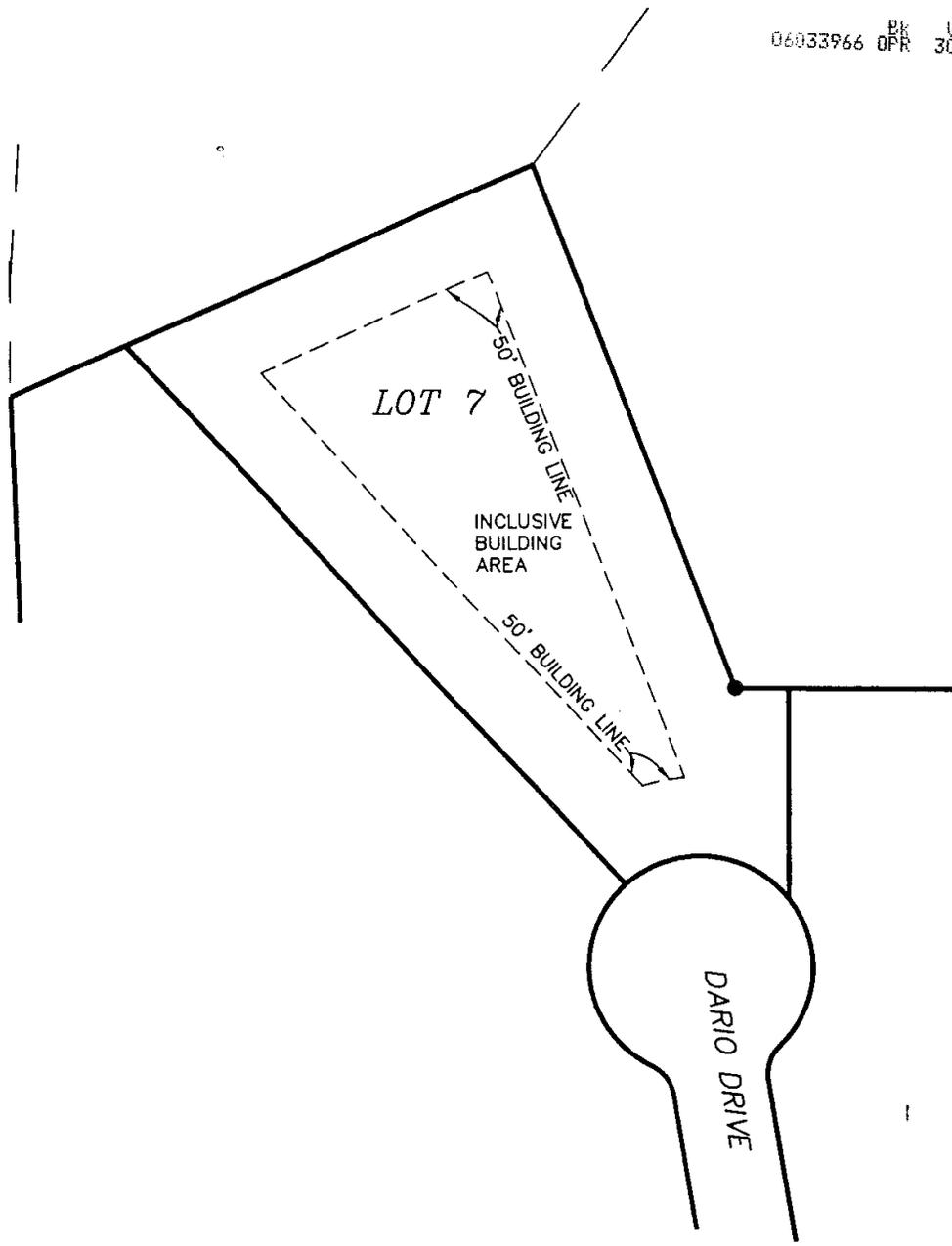
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RPLS # 3984  
P.O. Box 1273  
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(512)858-2236

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HAYS COUNTY, TEXAS



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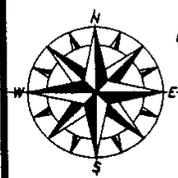
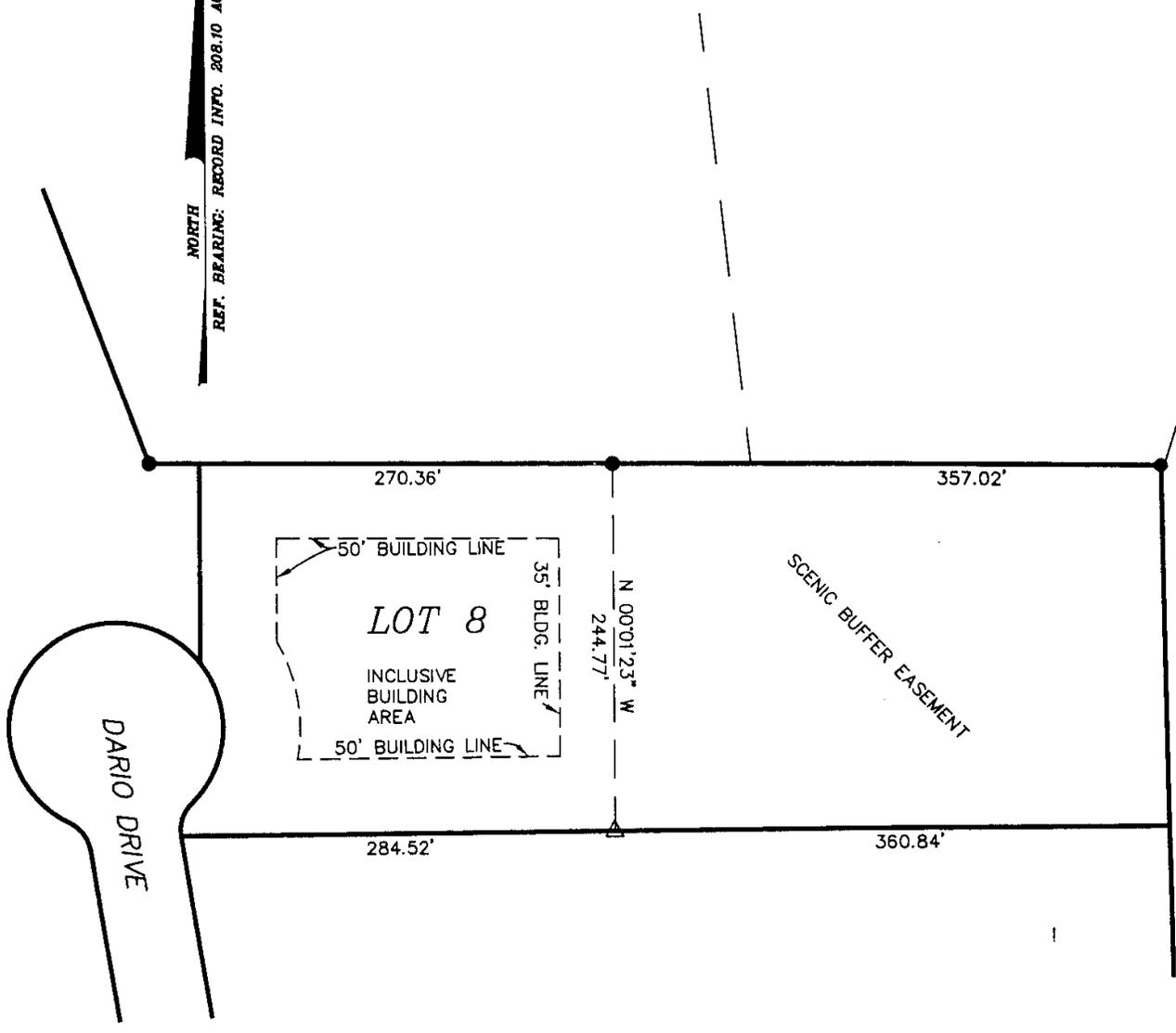
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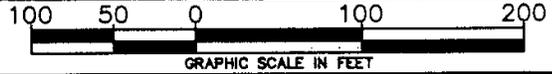


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Thomas E. Staudt  
RPLS # 3984  
P.O. Box 1273  
Dripping Springs, Texas 78620  
(512)858-2236

PROTECTIVE COVENANTS EXHIBIT "A"

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HAYS COUNTY, TEXAS

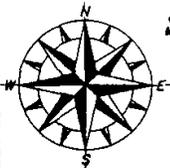
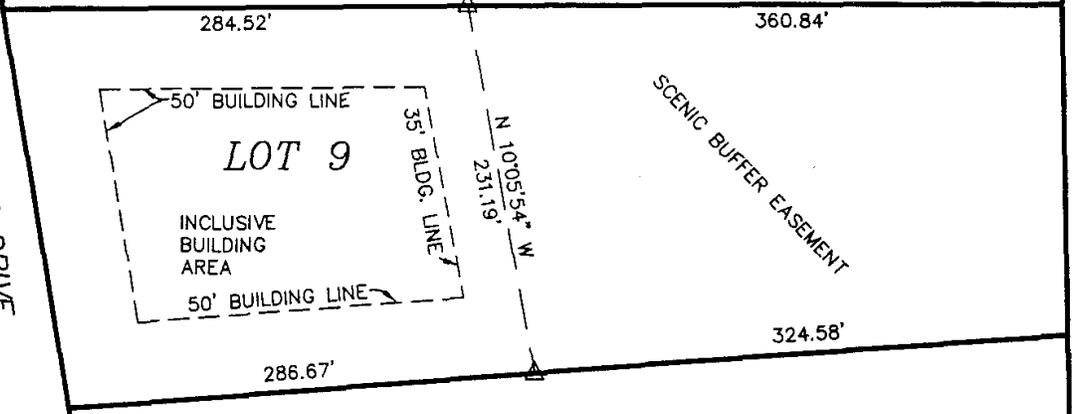
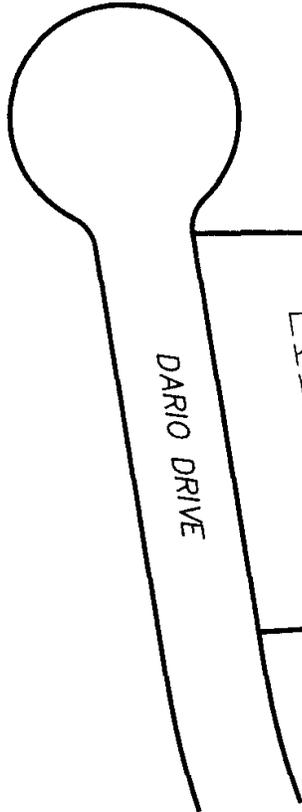


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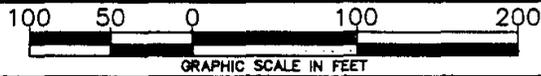


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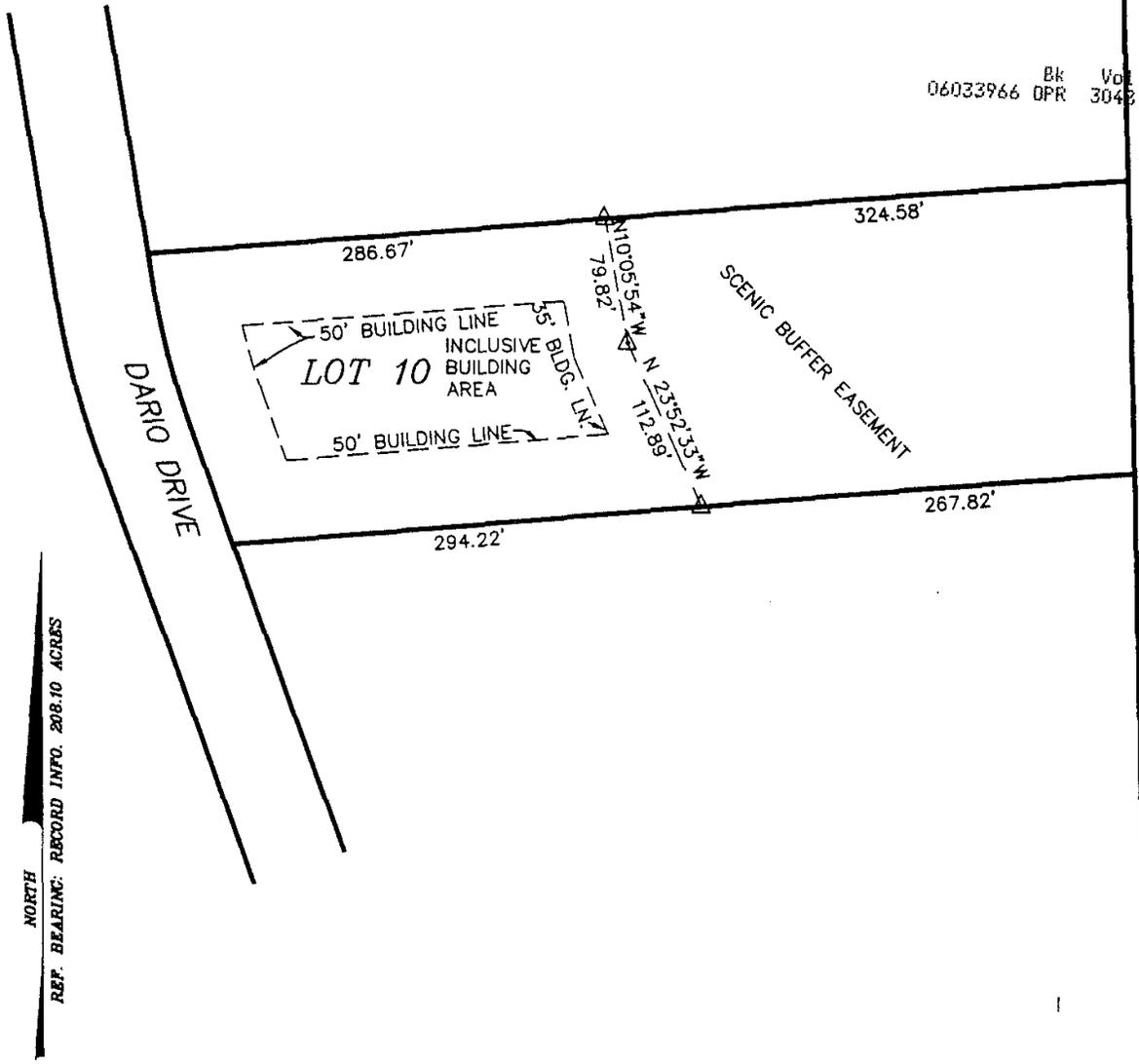
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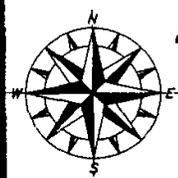
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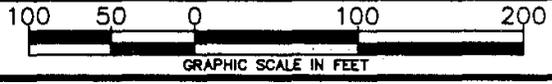
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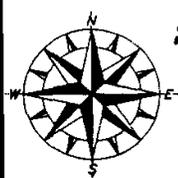
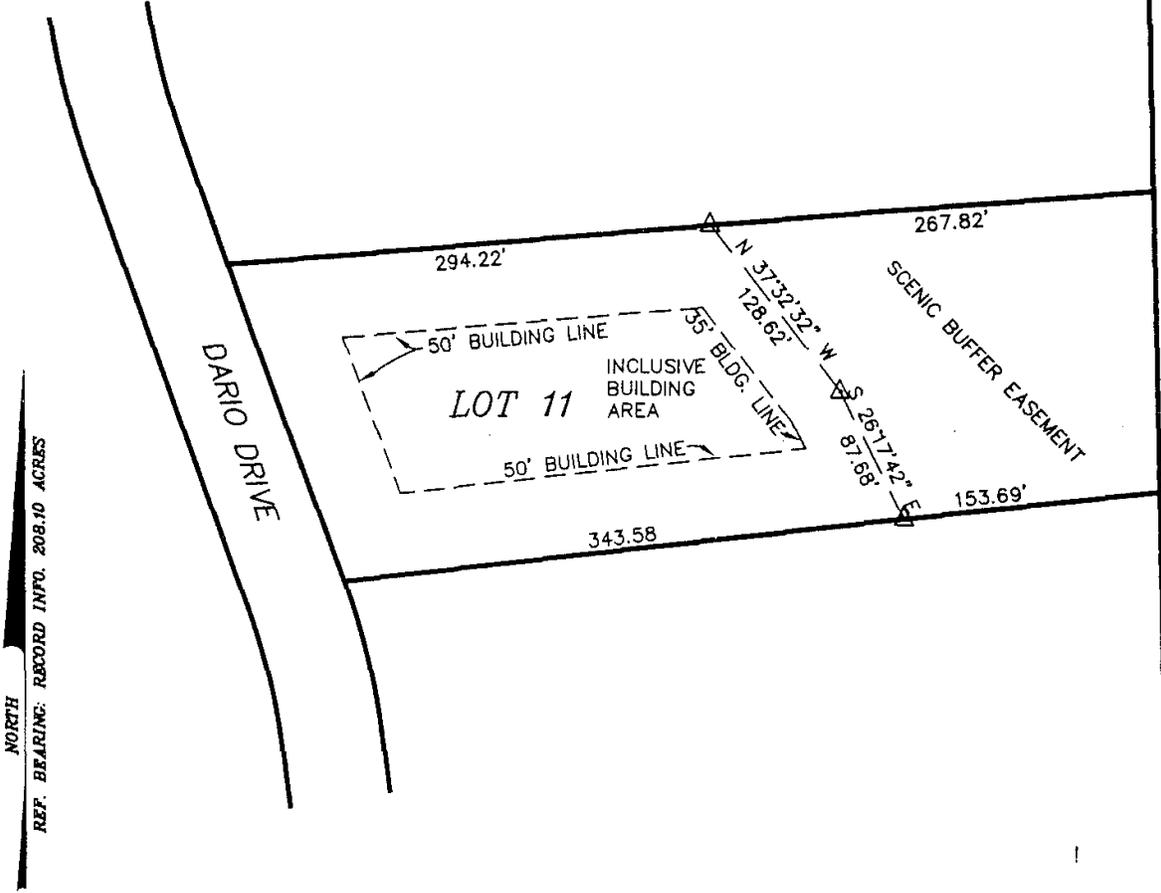
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P.O. Box 1273  
Dripping Springs, Texas 78620  
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PROTECTIVE COVENANTS EXHIBIT "A"  
**LOT 10**  
**CREEK ROAD RANCH**  
**SECTION THREE**  
HAYS COUNTY, TEXAS



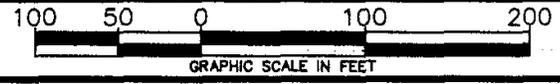
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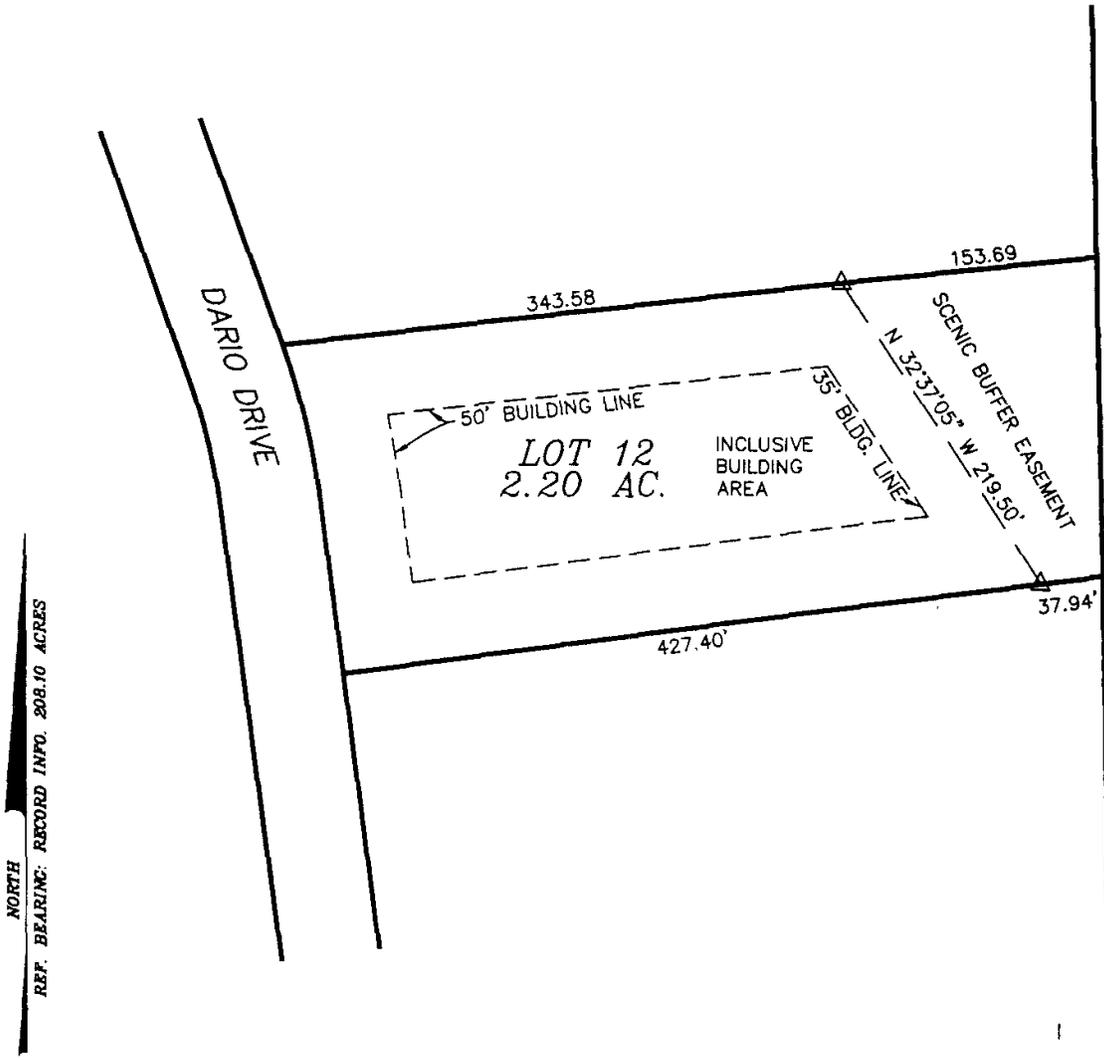
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 HAYS COUNTY , TEXAS



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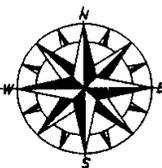
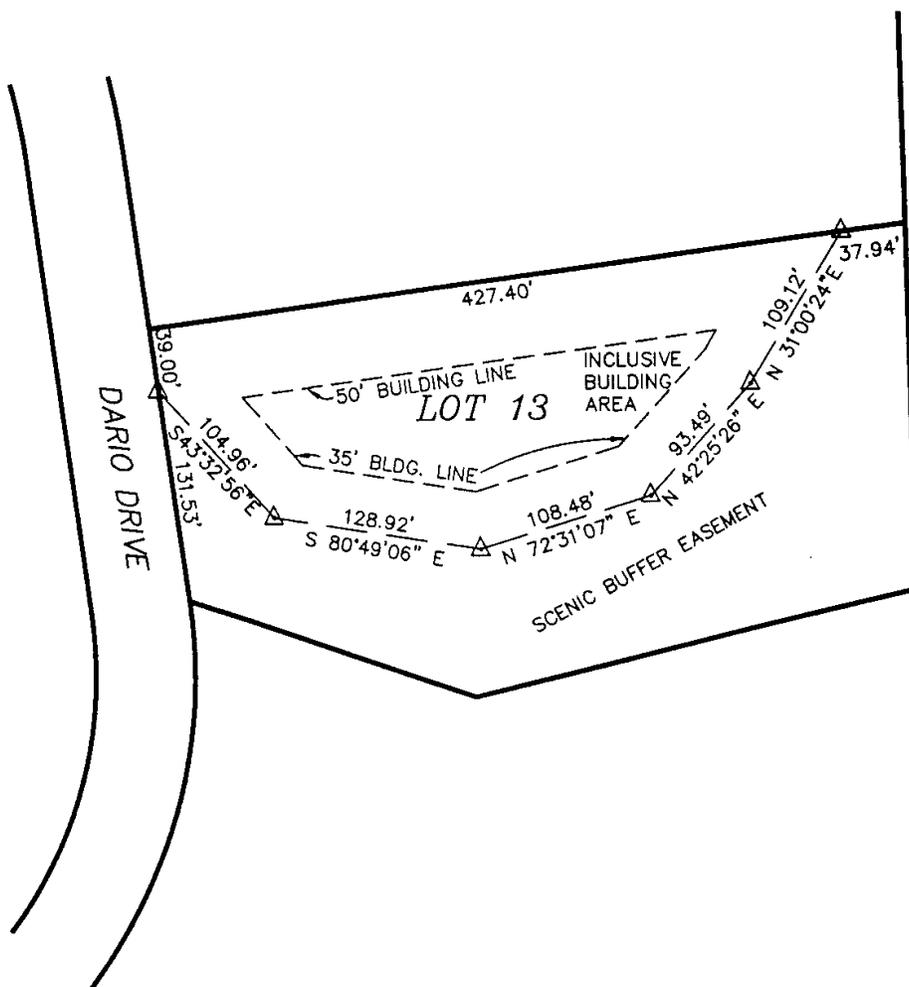
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PROTECTIVE COVENANTS EXHIBIT "A"  
**LOT 12**  
**CREEK ROAD RANCH**  
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 HAYS COUNTY, TEXAS

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Dr. By: TES	Job #: S06024
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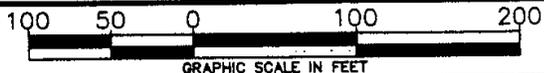
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PROTECTIVE COVENANTS EXHIBIT "A"  
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**CREEK ROAD RANCH**  
**SECTION THREE**  
 HAYS COUNTY, TEXAS

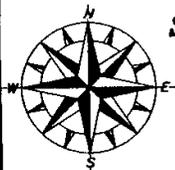
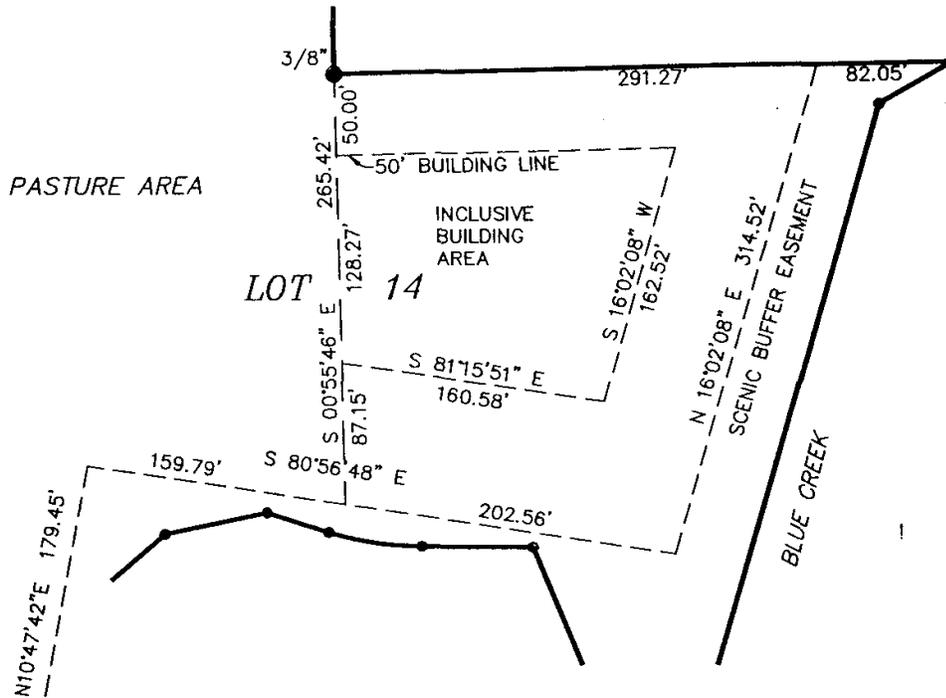
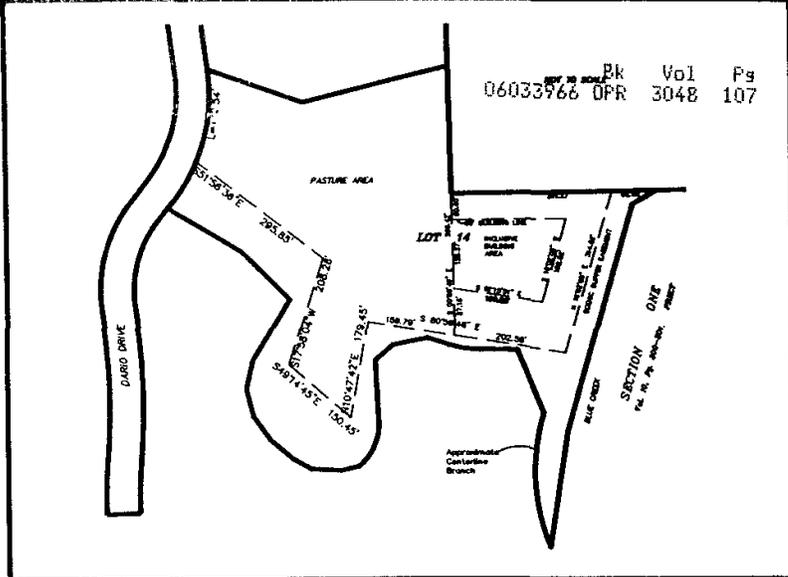


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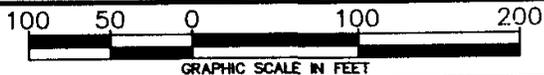


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PROTECTIVE COVENANTS EXHIBIT "A"

**LOT 14**  
**CREEK ROAD RANCH**  
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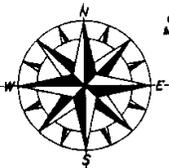
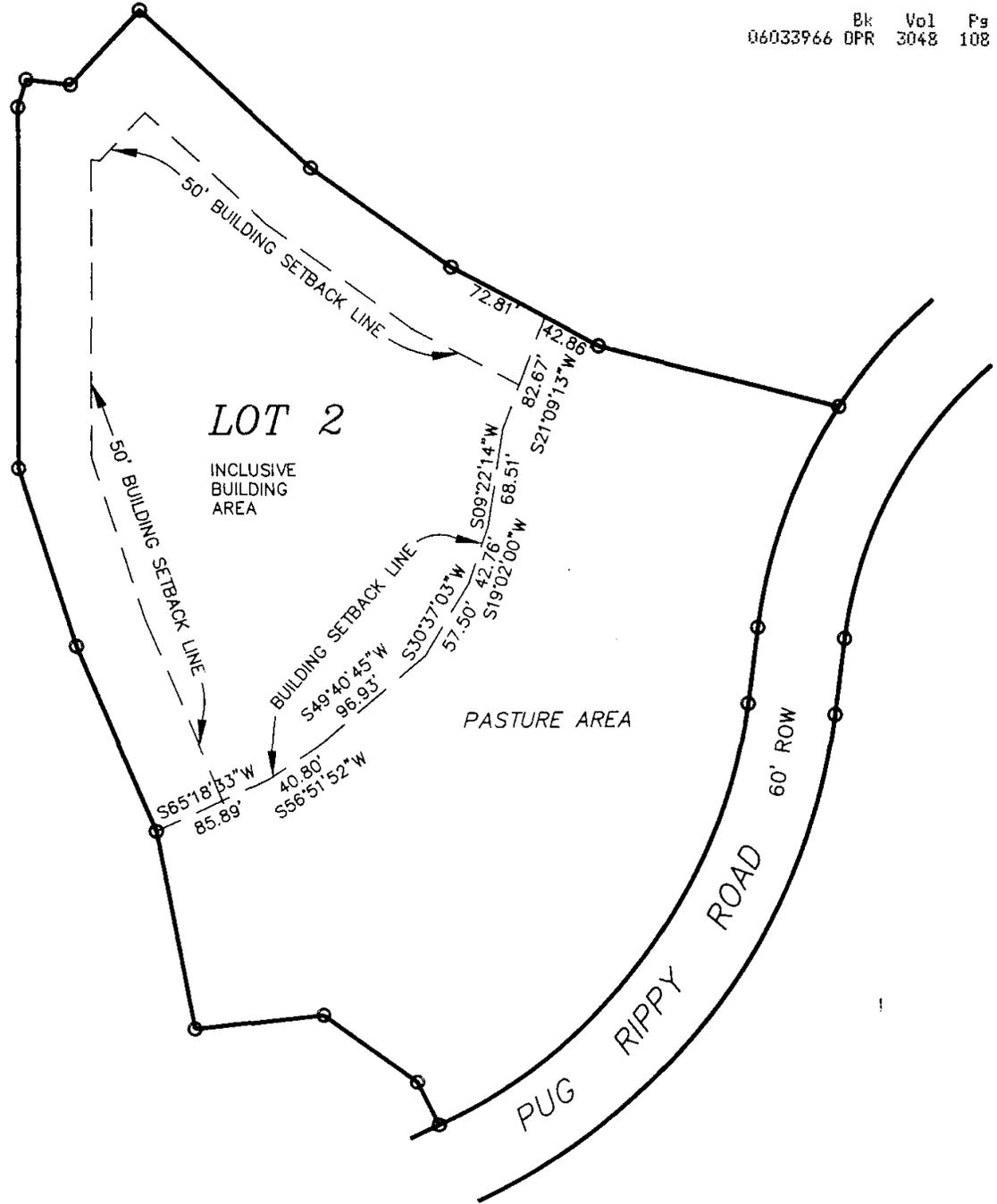
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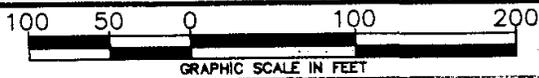


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PROTECTIVE COVENANTS EXHIBIT "A"

**LOT 2**  
**CREEK ROAD RANCH**  
**SECTION ONE**  
HAYS COUNTY, TEXAS



Rev: PAGE 2 OF 7

Date: AUGUST 2006

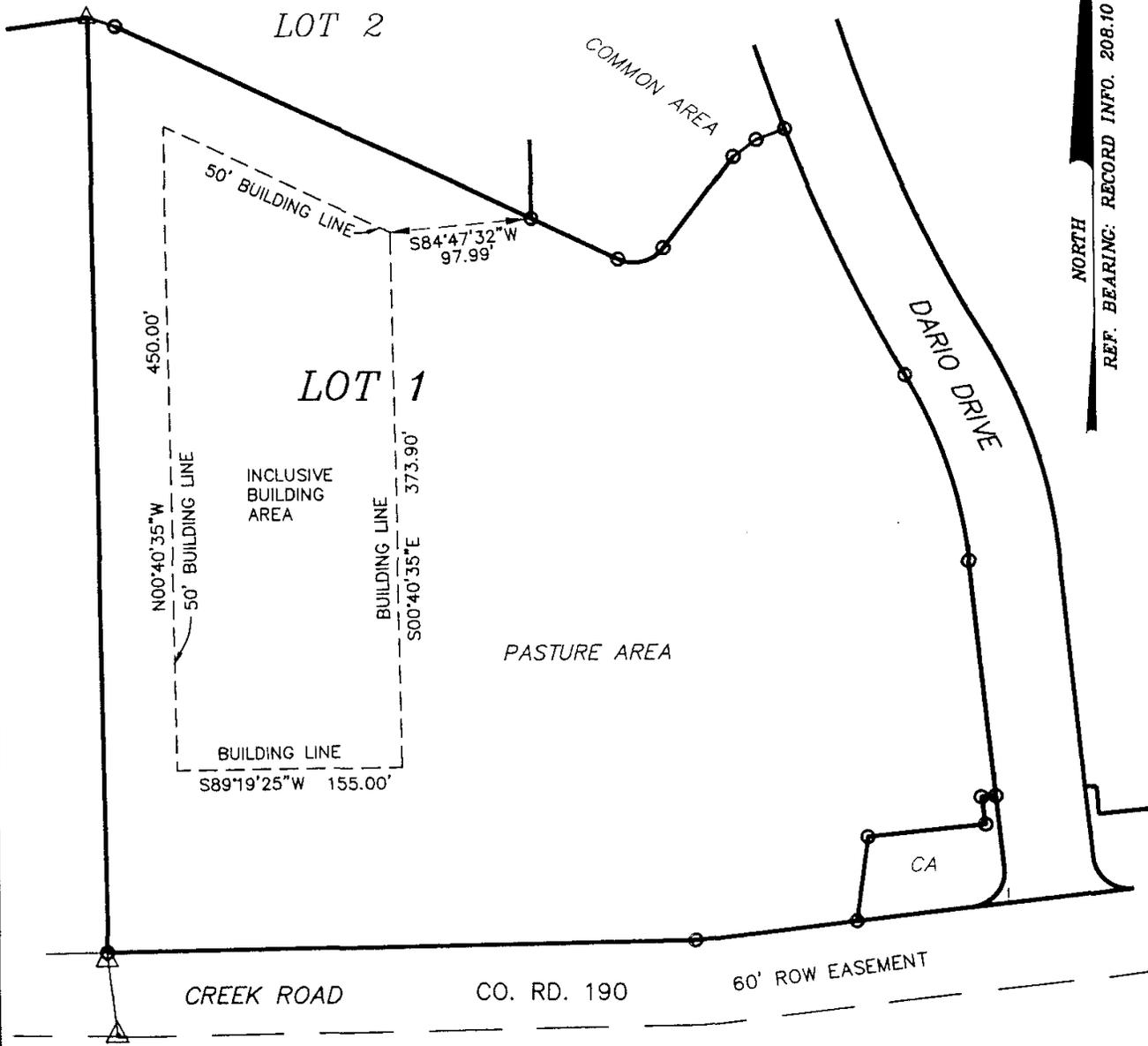
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Job #: S06171

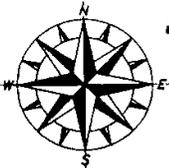
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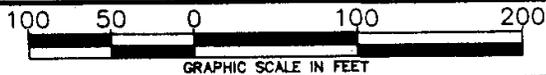


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Thomas E. Staudt  
RPLS # 3984  
P.O. Box 1273  
Dripping Springs, Texas 78620  
(512)858-2236

PROTECTIVE COVENANTS EXHIBIT "A"

**LOT 1**  
**CREEK ROAD RANCH**  
**SECTION TWO**  
**HAYS COUNTY, TEXAS**



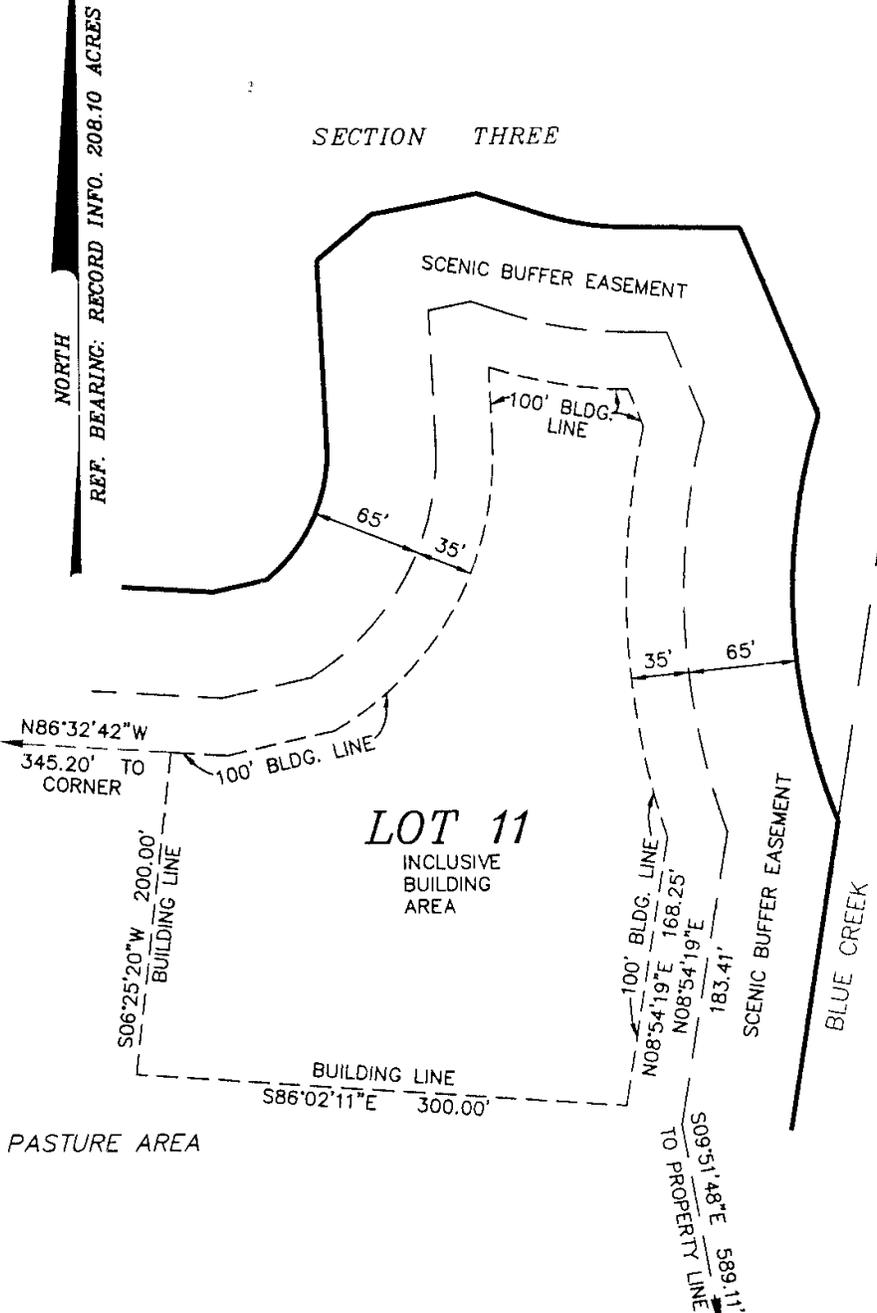
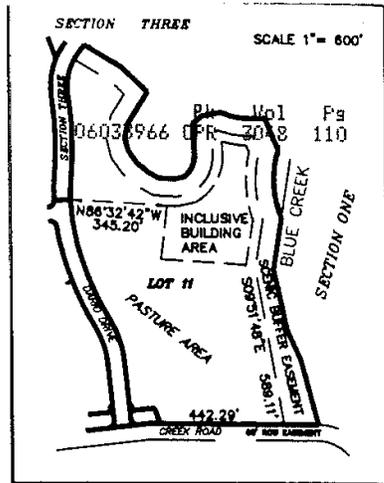
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Dr. By: TES

Job #: S04013

DWG #: CRR2PC



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Thomas E. Staudt  
RPLS # 3984  
P.O. Box 1273  
Dripping Springs, Texas 78620  
(512)858-2236

PROTECTIVE COVENANTS EXHIBIT "A"  
**LOT 11**  
**CREEK ROAD RANCH**  
**SECTION TWO**  
**HAYS COUNTY, TEXAS**



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Dr. By: TES Job #: S04013 DWG #: CRR2PC