

**AGREEMENT TO MODIFY SETBACK REQUIREMENTS
FOR LOT 36 DANCING BEAR RANCH SUBDIVISION, UNIT ONE
MEDINA COUNTY, TEXAS AS RECORDED IN VOLUME 8, PAGE 172-182
PLAT RECORDS OF MEDINA COUNTY, TEXAS**

This Agreement is made and entered by and between BP Dancing Bear, Ltd., a Texas Limited Partnership, (hereinafter the Declarant), and Mr. and Mrs. Freddie Hicks, the owners of Lot 36, Dancing Bear Ranch, Unit One, Medina County, Texas (hereinafter the "Owners"), to be effective as of 2004; and,

Whereas, the property affected by this agreement is described as follows:

Lot 36, Dancing Bear Ranch, Unit One, Medina County, Texas, as recorded in Volume 8, Page 172 - 182 of the Plat Records of Medina County, Texas; and,

Whereas, the parties to this Agreement desire to modify the setback requirements with respect to Lot 36 of the Dancing Bear Ranch, Unit One, a subdivision in Medina County, Texas, in order to accommodate Owner's request for a variance and Declarant's and Owner's agreement to such modification in the earnest money contract executed by said parties for the sale/purchase of the property, said earnest money contract dated October 20, 2004; and,

Whereas, Owner now requests a written recordable instrument reflecting the agreement of the parties to modify the setback requirement;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The front yard building setback line for the property described as Lot 36, Dancing Bear Ranch, Unit One, a subdivision in Medina County, Texas, as recorded in Volume 8, Page 172-182 of the Plat Records of Medina County, Texas, is hereby reduced from 25' to 10'; and,

2. All other covenants, conditions and restrictions affecting the property as found in Volume 42, Page 846 of the Official Public Records of Medina County, Texas shall remain in full force and effect.

Executed in multiple originals to be effective as of the date first above written.

Declarant:

BP DANCING BEAR, LTD.

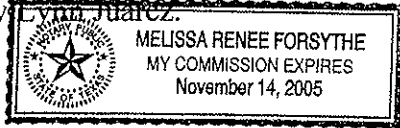
By: Lynn Juarez
Lynn Juarez

Owner: _____
Mr. and Mrs. Freddie Hicks

STATE OF TEXAS)

COUNTY OF BEXAR)

This instrument was acknowledged before me on Nov. 24,
2004, by Lynn Juarez.



Melissa Renee Forsythe
Notary Public, State of Texas

STATE OF TEXAS)

COUNTY OF Bexar)

This instrument was acknowledged before me on Nov. 24,
2004, by Mr. and Mrs. Freddie Hicks, Owner Lot 36, Dancing Bear Ranch.

Notary Public, State of Texas