

**AMENDMENTS TO
AMENDED RESTRICTIONS, COVENANTS AND CONDITIONS
OF
FORT DAVIS ESTATES (UNIT ONE)**

Recitals

1. On September 10, 1986, Fort Davis Estates, a Texas General Partnership, as the sole owner of Fort Davis Estates (Unit One), executed and declared the original Restrictions, Covenants, and Conditions for Fort Davis Estates (Unit One), a subdivision in Jeff Davis County, Texas, with said instrument filed for record in Volume 125, Page 444, of the Deed Records of Jeff Davis County, Texas.
2. On October 7, 1987, Fort Davis Estates, a Texas General Partnership, as the sole owner of Fort Davis Estates (Unit One), executed and declared the Amended Restrictions, Covenants and Conditions (the "Restrictions"), a complete restatement of the restrictive covenants for said subdivision, which were filed for record in Volume 129, Page 399, of the Deed Records of Jeff Davis County, Texas.
3. The Restrictions provide in Section 6 that its provisions can be amended by executing and recording an instrument changing its provisions, with the consent of seventy-five percent (75%) of the Lot owners, for any ten (10) year period after the first ten (10) year period.
4. The Restrictions further provide, in Section 6, that any such amendment shall become effective at the end of any successive ten (10) year period in which the amendment is made, which for purposes of this Amendment, shall be an effective date of October 7, 2007.
5. The undersigned are at least seventy-five percent (75) of the owners of the lots in the subdivision.
6. The below Amendments are hereby approved and adopted by the undersigned owners, as changes to the Amended Restrictions, Covenants and Conditions of Fort Davis Estates (Unit One), which shall become effective on October 7, 2007.

Amendments

1. Section 6 of the Restrictions is deleted and the following is inserted in lieu thereof:

"6. Duration and Amendment of Restrictions.

These restrictions, covenants, conditions and easements shall run with the land and shall be binding upon any and all Grantees, their successors and assigns, for a period of ten (10) years after their adoption, i.e., until October 7, 1997. On October 7, 1997, these restrictions covenants, conditions and easements shall be automatically extended for a successive ten (10) year period; and at the end of each extended ten (10) year period thereafter, again automatically extended for another ten (10) year period. These restrictions, covenants, conditions and easements can be amended at any time by an instrument executed by the owners of at least seventy-five percent (75%) in number of the Lots in Fort Davis Estates (Unit One), and any such amendment shall take effect immediately upon said instrument of amendment being recorded in the real property records of Jeff Davis County, Texas."

2. Section 11 of the Restrictions is deleted and the following is inserted in lieu thereof:

“11. Guidelines for Construction of Buildings and Outbuildings.

All buildings and other structures on the Real Property shall be architecturally in harmony with the residential character of the subdivision, the terrain, and the overall community appearance, and shall be subject to prior approval by the Architectural Control Committee. No tent, house trailer, single- or double-wide mobile home, or other temporary structure of any kind may be placed, constructed or maintained on the Real Property except as temporarily ancillary to a construction project on the Real Property. Buildings of high quality pre-built construction, with a hardwood siding having a minimum 25-year siding life shall be acceptable, subject to the prior approval of the Architectural Control Committee. In no event shall this imply that single-wide or double-wide pre-manufactured homes will be allowed. As to residences which are not of the pre-built construction described above, but are built on site, all of those residences constructed on site shall be constructed and finished with cured redwood or cedar materials, or with brick or masonry veneer over at least seventy-five percent of the facade, or of adobe materials, all subject to the approval of the Architectural Control Committee. In conjunction with occupancy of a family dwelling, it shall not be considered a violation of these restrictions to park an unoccupied self-propelled recreational vehicle on a lot for short term periods. One outbuilding may be constructed for each residence, either of high quality metal painted to match the main residence, or of the same material as the residence, and shall be placed at a location at least fifteen (15) feet behind the front building line of the residence. No construction material having a life of less than twenty-five (25) years shall be utilized in the construction of any improvement on the Real Property.”

3. Section 15 of the Restrictions is amended by deleting the first two sentences thereof and replacing them with the following:

“No building or other structure shall be located nearer than thirty-five (35) feet to any lot line, front, back, or side, except for Lot Numbers One (1), Seven (7), Twenty-eight (28), Ninety-five (95) and Ninety-seven (97), where the building or other structure may be within fifteen (15) feet of either or both of the side lot lines, if necessary to locate the building within thirty-five (35) feet of the front lot line. The outermost fifteen (15) feet, adjacent to each of the lot lines, of said thirty-five (35) foot setback area is also designated for a utility easement.”

Confirmation and Approval

1. The Amendments to the Restrictions set forth above shall be deemed to be a part of and shall be interpreted in accordance with the Restrictions. All provisions of the Restrictions not amended hereby are ratified and confirmed, and shall continue in full force and effect.

2. The undersigned, representing at least seventy-five percent (75%) of the Lot owners in the subdivision subject to the terms of the Restrictions, in order to acknowledge their consent and approval, have executed this instrument to be filed of record in the real property records of Jeff Davis County, Texas.

Execution by Owners

Date: March 25, 1999

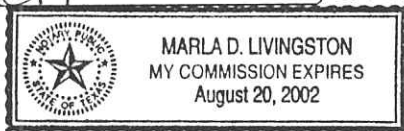
Michael A. Pearson
MICHAEL A. PEARSON

62
Lot(s) Owned

Deborah K. Pearson
DEBORAH K. PEARSON

STATE OF TEXAS §
COUNTY OF Jeff Davis §

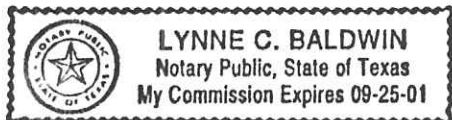
BEFORE ME, the undersigned authority, on this day personally appeared MICHAEL A. PEARSON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 25 day of March, 1999.



Marla D. Livingston
Notary Public - State of Texas
My Commission Expires: Aug. 20, 2002

STATE OF TEXAS §
COUNTY OF Jeff Davis §

BEFORE ME, the undersigned authority, on this day personally appeared DEBORAH K. PEARSON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 24th day of March, 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

Date: May 5, 1999

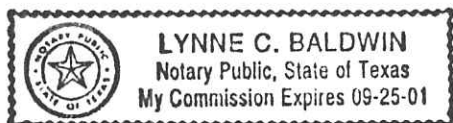
Curtis R. Hester
CURTIS R. HESTER

6
Lot(s) Owned

DEBORAH H. HESTER

STATE OF TEXAS §
COUNTY OF JEFF DAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared CURTIS R. HESTER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 5th day of April, 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared DEBORAH H. HESTER known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 1999.

Notary Public - State of Texas
My Commission Expires: _____

Date: 2/10/99

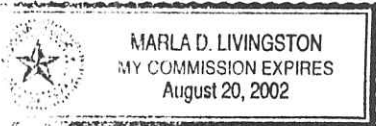
ROBERT A. CAROLINE

15
Lot(s) Owned

JANICE M. CAROLINE

STATE OF TEXAS §
 §
COUNTY OF Jeff Davis §

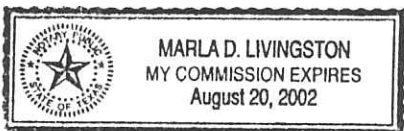
BEFORE ME, the undersigned authority, on this day personally appeared ROBERT A. CAROLINE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 10th day of February _____, 1999.



Marla D. Livingston
Notary Public - State of Texas
My Commission Expires: Aug. 20, 2002

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared JANICE M. CAROLINE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 10th day of February, 1999.



Marla D. Livingston
Notary Public - State of Texas
My Commission Expires: Aug. 20, 2002

Date: 2-18-99

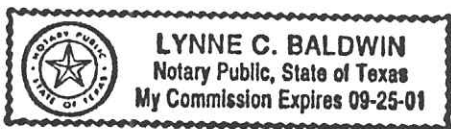
Benet B. Stewart
BENET B. STEWART

1
Lot(s) Owned

Melinda N. Stewart
MELINDA N. STEWART

STATE OF TEXAS §
COUNTY OF JEFF DAVIS §

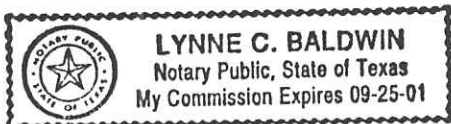
BEFORE ME, the undersigned authority, on this day personally appeared BENET B. STEWART, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of February, 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

STATE OF TEXAS §
COUNTY OF JEFF DAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared MELINDA N. STEWART, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of February, 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

Date: May 11, 1999

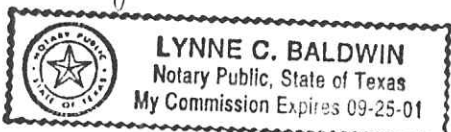
37, 39, 38
Lot(s) Owned

Alfonso Lozano
ALFONSO LOZANO

Diane McGuire Lozano
DIANE MCGUIRE LOZANO

STATE OF TEXAS §
COUNTY OF Jeff Davis §

BEFORE ME, the undersigned authority, on this day personally appeared ALFONSO LOZANO, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 11th day of May, 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

STATE OF TEXAS §
COUNTY OF Ju Davis §

BEFORE ME, the undersigned authority, on this day personally appeared DIANE McGUIRE LOZANO, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 11th day of May, 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

Date: _____

WILLIAM J. BEAN

3, 4, 5 & 16
Lot(s) Owned

BARBARA S. BEAN

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM J. BEAN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 1999.

Notary Public - State of Texas
My Commission Expires: _____

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared BARBARA S. BEAN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 1999.

Notary Public - State of Texas
My Commission Expires: _____

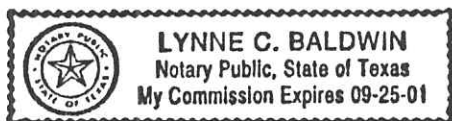
Date: Feb. 9, 1999

R. SCOTT BARTON
R. SCOTT BARTON

2
Lot(s) Owned

STATE OF TEXAS §
COUNTY OF JEFF DAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared R. SCOTT BARTON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 9th day of February, 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

Date: May 10, 1999

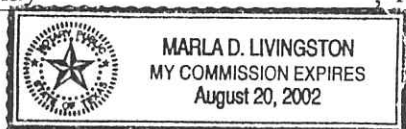
Brian L. Champion
~~BRIAN L. CHAMPION~~ KEVIN D. ZIMDARS

57
Lot(s) Owned

Conda L. Zimdars
~~IRIS F. CHAMPION~~ CONDA L. ZIMDARS

STATE OF TEXAS §
COUNTY OF Jeff Davis §

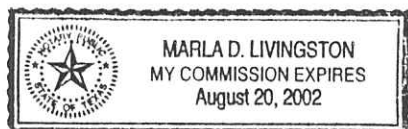
ZIMDARS BEFORE ME, the undersigned authority, on this day personally appeared ~~BRIAN L. CHAMPION~~ KEVIN D. ZIMDARS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 10th day of May, 1999.



Marla D. Livingston
Notary Public - State of Texas
My Commission Expires: August 20, 2002

STATE OF TEXAS §
COUNTY OF Jeff Davis §

ZIMDARS BEFORE ME, the undersigned authority, on this day personally appeared ~~IRIS F. CHAMPION~~ CONDA L. ZIMDARS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 10th day of May, 1999.



Marla D. Livingston
Notary Public - State of Texas
My Commission Expires: August 20, 2002

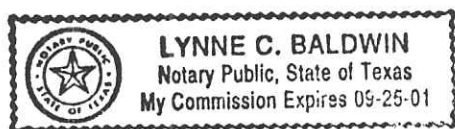
Date: 2-19-1999

James Ray Harrell
JAMES RAY HARRELL

18
Lot(s) Owned

STATE OF TEXAS §
§
COUNTY OF JEFF DAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared JAMES RAY HARRELL, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 19th day of February, 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

Date: 2-9-99

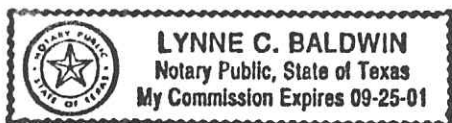
Ben M. Givens
BEN M. GIVENS

19
Lot(s) Owned

STATE OF TEXAS §
§
COUNTY OF JEFF DAVIS §

Kristi K. Givens
KRISTI K. GIVENS

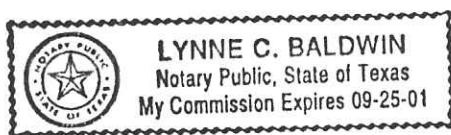
BEFORE ME, the undersigned authority, on this day personally appeared BEN M. GIVENS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 9th day of Feb., 1999.



Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

STATE OF TEXAS §
§
COUNTY OF Jeff Davis §

BEFORE ME, the undersigned authority, on this day personally appeared KRISTI K. GIVENS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 9th day of Feb., 1999.




Lynne C. Baldwin
Notary Public - State of Texas
My Commission Expires: 09/25/2001

FORT DAVIS ESTATES, a Texas
General Partnership

Date: 3-12-99

All lots in Fort Davis Estates
(Unit One) not identified above
Lot(s) Owned

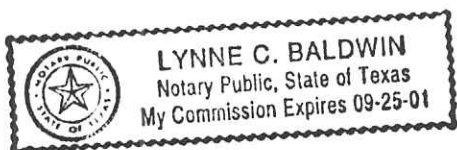
BY: 
CURTIS EVANS, General Partner

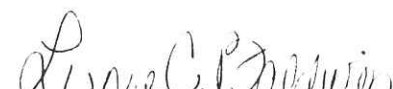
BY: 
JEAN ANNE EVANS FORT,
General Partner

STATE OF TEXAS §
§
COUNTY OF JEFF DAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared CURTIS EVANS, in his capacity as General Partner of FORT DAVIS ESTATES, a Texas General Partnership on behalf of said Partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12th day of
March, 1999.

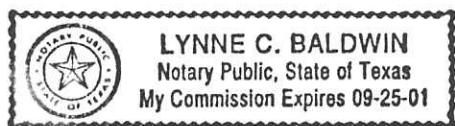




Notary Public - State of Texas
My Commission Expires: 09/25/2001

STATE OF TEXAS §
§
COUNTY OF JEFF DAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared JEAN ANNE EVANS FORT, in her capacity as General Partner of FORT DAVIS ESTATES, a Texas General Partnership on behalf of said Partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12th day of
March, 1999.




Notary Public - State of Texas
My Commission Expires: 09/25/2001

#16708

FILED FOR RECORD
THE 17th DAY OF MAY
A.D., 1999
AT 2:30 O'CLOCK P. M.

Sue Blackley
COUNTY CLERK, JEFF DAVIS CO. TEXAS
BY Carol Guay
DEPUTY

STATE OF TEXAS
COUNTY OF JEFF DAVIS

I hereby certify that this Instrument was FILED FOR
RECORD on the date and at the time stamped hereon by
me and was duly RECORDED in the Volume and Page of
the CRK Records of
Jeff Davis County, Texas



County Clerk, Jeff Davis County, Texas
VOL 163 PAGE 520
RECORDED 5-17-99