

VG-29-2021-214240

Blanco County
Laura Walla
Blanco County Clerk

Instrument Number: 214240

Real Property Recordings

Recorded On: July 20, 2021 12:12 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$29.00

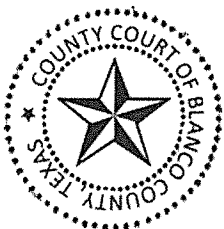
***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 214240
Receipt Number: 20210720000004
Recorded Date/Time: July 20, 2021 12:12 PM
User: Melody E
Station: cclerk01

Record and Return To:



STATE OF TEXAS
Blanco County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time
printed hereon, and was duly recorded in the Official Records of Blanco County, Texas

Laura Walla
Blanco County Clerk
Blanco County, TX

**FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS
RESTRICTIONS, EASEMENTS, CHARGES AND LIENS FOR
RED OAK MOUNTAIN SUBDIVISION**

**STATE OF TEXAS §
 §
COUNTY OF BLANCO §**

This First Amendment To The Declaration Of Covenants, Conditions, Restrictions, Easements, Charges and Liens For Red Oak Mountain Subdivision (the "First Amendment") is made by the Developer to clarify a drafting error regarding allowed building materials.

WHEREAS, the Declaration Of Covenants, Conditions, Restrictions, Easements, Charges and Liens For Red Oak Mountain Subdivision was filed of record under Blanco County Instrument No. 204645 (the "Declarations"); and

WHEREAS, Red Oak Mountain, LLC is the Developer as defined in the Declarations; and

WHEREAS, reference is hereby made to the Declarations for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declarations, unless otherwise specified in this First Amendment; and

WHEREAS, pursuant to Article XII, Section 7.01 of the Declarations, the Developer holds the Developer rights until such time as a document relinquishing said rights is filed of record or the Developer no longer holds record title to any Tract or Common Area in the Subdivision, whichever occurs last; and

WHEREAS, pursuant to Article IX, Section 9.03 of the Declarations, the Developer has the right at any time prior to the Control Transfer Date, without the joinder or consent of any Owner or other party, to amend the Declarations by an instrument in writing duly signed, acknowledged, and filed for record so long as the Developer owns at least one Tract of land and provided that any such amendment shall be consistent with and is furtherance of the general plan and scheme of development of the Subdivision and evidenced by these Declarations; and

WHEREAS, the Control Transfer Date has not occurred and the Developer still owns the Common Area and at least one Tract of land in the Subdivision; and

WHEREAS, it was always the intent of the Developer to allow for Barndominium style homes in the Subdivision; and

WHEREAS, the website for the Subdivision references that Bardominium housing is allowed; and

WHEREAS, the marketing materials for the Subdivision contained pictures of Barndominium style houses being allowed and contained pictures of metal houses; and

WHEREAS, a drafting mistake was made in not allowing for metal construction materials;

NOW THEREFORE, pursuant to the authority contained in the Declarations, the undersigned, hereby amends the Declarations as follows:

That portion of Article III, Section 3.14 that currently reads as follows:

Section 3.14 Construction Materials. All Improvements must be built with new construction materials and must be built in place on the Tract. All construction materials used shall be of materials such as wood, rock, brick, hardiplank or stucco. The use of aluminum siding or vinyl siding is prohibited. The Architectural Control Committee or the Developer prior to Control Transfer Date may authorize the use of other materials on a case by case basis. Barns and other out buildings may be constructed of metal or materials listed above. Log cabins may be built as long as they comply with building requirements and are approved by the Architectural Control Committee or Developer (prior to the Control Transfer Date).

is hereby deleted and replaced with the following:

3.14 Construction Materials. All Improvements must be built with new construction materials and must be built in place on the Tract. All construction materials used shall be of materials such as wood, rock, brick, hardiplank, stucco or metal. The use of aluminum siding or vinyl siding is prohibited. The Architectural Control Committee or the Developer prior to Control Transfer Date may authorize the use of other materials on a case by case basis. Barns and other out buildings may be constructed of metal or materials listed above. Barndominium style homes are allowed for the main residence. Log cabins may be built as long as they comply with building requirements and are approved by the Architectural Control Committee or Developer (prior to the Control Transfer Date).

If any provision of this First Amendment is found to be in conflict with the Declarations, this First Amendment shall control. All other provisions of the Declarations not amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment To The Declaration Of Covenants, Conditions, Restrictions, Easements, Charges and Liens For Red Oak Mountain Subdivision shall be effective upon recording in the Official Records of Blanco County, Texas.

SIGNED this the 20th day of July 2021.

[Signature follows on next page]

Red Oak Mountain, LLC, a Delaware limited liability company

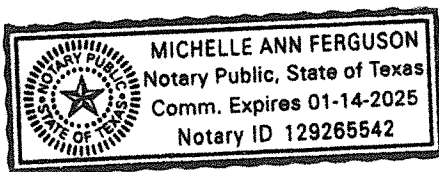
By: American Land Partners, Inc., a Delaware corporation, Manager

By: *Price Kever*
Printed Name: PRICE KEEVER
Title: Authorized Agent

STATE OF TEXAS §
 §
COUNTY OF BLANCO §

Before me, the undersigned Notary Public, on this day personally appeared PRICE KEEVER who is personally known to me (or proved to me through a federal or state issued ID with photo and signature of person identified) to be the person whose name is subscribed to the foregoing instrument, and who has acknowledged to me that he executed the instrument for the purposes and consideration therein expressed and in the capacity stated herein.

Given under my hand and seal of office on the 20th day of July 2021.



Michelle Ferguson
Notary Public, State of Texas