

Amending 1142/540

Dec 2003

*all but
23, 24, 25, 26, 27, 28, 29
35, 36 (9 Lots)*

1. The Declaration previously provided that it applied only to certain lots in Woodlake Subdivision Unit IV, being the following: 1-22, 30-34, 37-47, 76, 77, 83-98 of Woodlake Subdivision, Unit IV, according to map thereof recorded in Volume 4, pages 354-356 of the Map and Plat Records of Guadalupe County, Texas. The Declaration is hereby amended to provide that the covenants, conditions and restrictions set forth in the Declaration as amended hereby shall apply to the following lots: Lots 1-22, 30-34, and 37-98 Woodlake Subdivision, Unit IV, according to map thereof recorded in Volume 4, pages 354-356 of the Map and Plat Records of Guadalupe County, Texas. Accordingly the paragraph in the Declaration immediately preceding Article 1 in the Declaration is hereby revoked, and amended and modified to read as follows:

OLD →

"NOW, THEREFORE, Declarant and the undersigned Owners hereby declare that the following Lots in Woodlake Subdivision, Unit IV, according to map thereof recorded in Volume 4, pages 354-356 of the Map and Plat Records of Guadalupe County, Texas: 1-22, 30-34, 37-98 shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration as same are amended hereby, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of said real property. These easements, covenants, restrictions and conditions shall run with said real property and be binding upon all parties having or acquiring any right, title, or interest in said real property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof."

New →

only change

2. ARTICLE I. Section 4. of the Declaration, which reads as follows:

"Section 4. "Lot" or shall mean and refer to any of the following numbered plots of land shown on the recorded map or plat of the Subdivision: Lots 1-22, 30-34, 37-47, 76, 77, 83-98. ~~Lots 23, 24, 35 and 36 of the Subdivision~~ are currently owned by someone other than Declarant. The provisions of this Declaration will not apply to lots 23, 24, 35 and 36 of the Subdivision, unless or until the owners of said lots file of record in the Official Records of Guadalupe County, Texas, their written agreement that said lots will be subject to the covenants, conditions, easements and restrictions set forth herein. If the owners of lots 23, 24, 35 and 36 file such an instrument of record then said lots will be subject to the provisions hereof and will be considered a Lot as defined herein."

OLD

is hereby revoked and modified and amended to read as follows:

"Section 4. "Lot" or "Lots" shall mean and refer to any of the following numbered plots of land shown on the recorded map or plat of the Subdivision: Lots 1-22, 30-34, 37-98. ~~Lots 23, 24, 35 and 36 of the Subdivision~~ are currently owned by someone other than Declarant. The provisions of this Declaration will not apply to lots 23, 24, 35 and 36 of the Subdivision, unless or until the owners of said lots file of record in the Official Records of Guadalupe County, Texas, their written agreement that said lots will be subject to the covenants, conditions, easements and restrictions set forth herein. If

New

only change

the owners of lots 23, 24, 35 and 36 file such an instrument of record then said lots will be subject to the provisions hereof and will be considered a Lot as defined herein."

3. ARTICLE III of the Declaration, which reads as follows:

**"ARTICLE III
Lots to Which This Declaration Does Not Apply**

The covenants, conditions, easements and restrictions set forth herein do not apply to the following lots in the Woodlake Subdivision, Unit IV: 23-29, 35, 36, 48-75 and 78-82 (the "Omitted Lots"). Owner reserves the right to convey any of the Omitted Lots without restrictions or with different restrictions than those set forth herein, except that Owners agree to restrict the property against mobile homes being placed on said lots. The owners of Lots 23, 24, 35 and 36 shall have the right to include their lots as covered by these restrictions as aforesaid."

is hereby revoked, and modified and amended to read as follows:

**"ARTICLE III
Lots to Which This Declaration Does Not Apply**

The covenants, conditions, easements and restrictions set forth herein do not apply to the following lots in the Woodlake Subdivision, Unit IV: lots 23, 24, 35 and 36. The owners of lots 23, 24, 35, and 36 shall have the right to include their lots as covered by these restrictions as aforesaid."

4. ARTICLE IV, Section 1. of the Restrictions, which reads as follows:

**"ARTICLE IV
Permitted Uses and Restrictions**

Section 1. Lot Use: The Lots shall be used solely for single family residential purposes. "Single family" use means use of a dwelling of two or more natural persons who are related by marriage or kinship or by not more than four natural persons who are not related by marriage or kinship. The term "residential purposes", as used herein shall be held and construed to exclude duplexes, or any other type of multi-family dwelling. No Lot shall be used for more than one residence, and its outbuildings. No Lot shall be used or occupied for trade or business of any kind. No condominium shall be erected on any Lot in the subdivision with the exception of Lot 76 on which condominiums may be built, provided that each unit of said condominium development shall be limited to single family uses only and shall be occupied by only one family unit, and the restrictive covenants set forth in this Declaration shall apply to each condominium project. No Lot shall be used or occupied for any trade or business of any kind and no business or trade of any kind shall be conducted on any Lot. However,

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Declarant, as well as any other person involved in construction and sale of residences on a Lot or Lots, shall have the right during the construction and sales period to use facilities as necessary or convenient for its business purpose of developing, constructing and selling residences."

is hereby revoked, modified and amended to read as follows:

"ARTICLE IV

Permitted Uses and Restrictions

Section 1. Lot Use: The Lots shall be used solely for single family residence purposes. "Single family" use means use of a dwelling of two or more natural persons who are related by marriage or kinship or by not more than four natural persons who are not related by marriage or kinship. The term "residence", as used herein shall be held and construed to exclude duplexes, or any other type of multi-family dwelling. Except as provided in this paragraph, no Lot shall be used for more than one single family residence, and its outbuildings. Condominiums, more than one unit per Lot, and duplex residence units may be erected only on Lots 48-68 and 72-76 of the Subdivision ("Multi Residence Lots"). Garden homes, duplexes, condominiums or single-family residences may be built on the Multi Residence Lots, provided that each unit of the structures on said Lots shall be limited to single family uses and may only be occupied by one family unit, and the restrictive covenants set forth in this Declaration shall apply to each garden home, duplex or condominium or single-family residence. No more than one duplex, two garden homes or two condominium units may be built on any of the Multi Residence Lots. No Lot shall be used or occupied for trade or business of any kind; provided, Declarant, as well as any other person involved in construction and sale of residences on a Lot or Lots, shall have the right during the construction and sales period to use facilities as necessary or convenient for its business purpose of developing, constructing and selling residences. Lots 25, 26, 27, 28, and 29 may not be built on and shall always be available as locations to detain water and water runoff in the Subdivision unless the following conditions are met: (1) The Architectural Control Committee, (and the Declarant so long as Declarant owns a Lot) must approve the plans for any construction on said Lots and (2) Guadalupe County or any other governmental entity with jurisdiction to approve construction of the roads to provide access to said Lots must approve the engineering for the roads and other improvements and not require said Lots to be used for water detention."

5. ARTICLE IV, Section 4. of the Restrictions, which reads as follows:

"Section 4. Minimum Living Area: The minimum floor living area of the main structure of any dwelling, exclusive of porches, terraces, garages and detached accessory buildings, shall be at least 1,500 square feet of heated living area for one-story buildings and 2,000 square feet of heated living area for a dwelling of more than one-story. Condominium projects on Lots on which condominiums are allowed must provide for at

least 900 square feet of heated living area exclusive of open porches, garages and terraces for each unit."

is revoked, amended and modified to read as follows:

NEW

"Section 4. Minimum Living Area: Except for Multi Residence Lots as provided in the following sentence, the minimum floor living area of the main structure of any dwelling, exclusive of porches, terraces, garages and detached accessory buildings, shall be at least 1,800 square feet of heated living area for one-story buildings and 2,000 square feet of heated living area for a dwelling of more than one-story. When there is more than one residence constructed on a Multi Residence Lot, all garden homes, each unit of a duplex or unit of a condominium shall have at least 1,300 square feet of heated living area exclusive of open porches, garages and terraces for each unit."

6. The undersigned further ratify the Declaration of Covenants, Conditions, Easements and Restrictions affecting a portion of the lots in Woodlake Subdivision, Unit IV, as recorded in Volume 1142, Page(s) 540 of the Official Records of Guadalupe County, Texas, and agree that the provisions of said Declaration are valid and enforceable and shall continue in force and effect as originally written, except as amended and modified hereby.

EXECUTED this the 21st day of December, 2003.

WOODLAKE PARTNERS, INC.

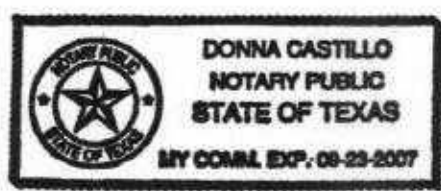
By: [Signature]
RAY DURHAM, President

THE STATE OF TEXAS

COUNTY OF GUADALUPE

This instrument was acknowledged before me on the 21st day of December, 2003, by RAY DURHAM, President of WOODLAKE PARTNERS INC., a Texas corporation, on behalf of said corporation.

[Signature]
Notary Public, State of Texas



Dec 2003



Guadalupe County, Texas
County Clerk
Juan Val



THE STATE OF TEXAS
COUNTY OF GUADALUPE
I hereby certify that this instrument was
FILED on the date and at the time stamped
hereon by me and was duly recorded in the
Official Public Records of Guadalupe County,
Texas.

Teresa Kiel
TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

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