

**FIRST AMENDMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
NORTH LAKEWAY VILLAGE – SECTION 6**

THE STATE OF TEXAS

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COUNTY OF TRAVIS

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This First Amendment to Declaration of Covenants, Conditions and Restrictions for North Lakeway Village – Section 6 (this “First Amendment”) is made and executed by RH OF TEXAS LIMITED PARTNERSHIP, a Maryland limited partnership (“**Ryland**”), Declarant under that certain Declaration of Covenants, Conditions and Restrictions for North Lakeway Village – Section 6 dated June 13, 2008 and recorded at Document No. 2008103225, Official Public Records of Travis County, Texas, (referred to herein as the “Declaration”), and is as follows:

Recitals

1. WHEREAS, this First Amendment is filed with respect to the Property as defined by the Declaration and expanded in accordance with the terms set forth therein; and

2. WHEREAS, pursuant to Section 9.04(A) of the Declaration, until such time as Declarant no longer owns any portion of the land described in Exhibit “A” attached to the Declaration, Declarant, acting alone, may amend the Declaration by filing of the appropriate document in the Official Public Records of Travis County, Texas; and

3. WHEREAS, presently, Declarant remains the owner of a significant portion of the land described therein; and

4. WHEREAS, Declarant wishes to modify certain terms of the Declaration to provide clear evidence of the Association’s authority to enter into a license agreement for use of amenities on land not subject to the Declaration; and

5. WHEREAS, Declarant wishes to modify certain terms of the Declaration to address the masonry requirements for the construction of residences within the Property; and

6. WHEREAS, Declarant hereby adopts and approves this First Amendment;

Amendments

Declarant hereby executes this First Amendment to amend the Declaration as follows:

1. Section 3.04 of the Declaration entitled 'Building Materials' is hereby deleted in its entirety and replaced with the following quoted language:

"3.04. Building Materials. For the purpose of this Section 3.04, (i) the term "Masonry" shall include rock, brick or stucco materials, and (ii) the term "Siding" shall mean HardiePlank siding or substantially and materially similar fiber cement siding. Such approved material used on the exterior of a structure must continue down to within two feet (2') of the ground at finished grade. No change of materials to cover an exposed foundation shall be permitted. All exterior metals and plastic on buildings will be painted to match the color of the adjacent exterior finish material.

(A) **Masonry Requirements:**

Unless otherwise expressly approved by the Architectural Committee, the exterior wall area of any home constructed within the Subdivision shall have a minimum one hundred percent (100%) Masonry construction for the first floor, one hundred percent Masonry construction for the exterior front of the second floor, and one-third (33%) Masonry construction for the exterior side wall(s) of the second floor. Any exterior front second floor surfaces that are offset or recessed from the slab of the home may be constructed entirely (100%) with Siding. The second floor rear exterior surface of any home may be constructed entirely of Siding. All exterior surfaces shall be included for the purpose of the calculation set forth herein, including gables and chimney areas, but excluding soffits, which may be constructed with wood or HardieSoffit materials. Calculations shall not include the exposed foundation areas which are limited to two feet (2') of exposed vertical areas. All openings such as windows, doors, vents, etc., will be included into the predominate type of surface on the total wall (around the opening). Garage doors that are surrounded on both vertical sides by Masonry will be included as Masonry on single story homes. The area above garage doors on two story homes will be calculated as to the type of cover used. Gable areas above single story garage doors will also be calculated as to type of cover used."

2. Section 5.04(I) of the Declaration entitled 'Association Property Services' is hereby deleted in its entirety and replaced with the following quoted language:

"(I) Association Property Services. To pay for water, sewer, garbage removal, landscaping, gardening and all other utilities, services and maintenance for all Association Property; to maintain and repair easements, roads, roadways, rights-of-way, parks, parkways, median strips, sidewalks, paths, non-standard street signs, non-standard street lights, trails, detention ponds, retention ponds, lakes and other areas of the Property as appropriate; and to own, operate, or enter into written agreements for the use of any and all types of facilities for both active and passive recreation."

3. This First Amendment constitutes an Amendment under Section 9.04(A) of the Declaration. Any capitalized term used and not otherwise defined in this First Amendment shall have the meaning set forth in the Declaration.

4. Except as expressly modified hereby, the covenants, restrictions, agreements, easements, terms and provisions of the Declaration shall continue in full force and effect.

5. The parties executing this instrument hereby represent and warrant that they are authorized to execute this legal instrument.

EXECUTED to be effective as of the 23 day of May, 2011.

DECLARANT:

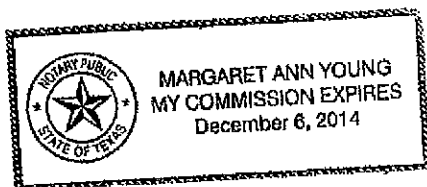
RH OF TEXAS LIMITED PARTNERSHIP,
a Maryland limited partnership

By: Ryland Homes of Texas, Inc.,
a Texas corporation, General Partner

By: [Signature]
Name: Dominic M. Landon
Title: DIVISION MANAGER

STATE OF TEXAS §
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COUNTY OF Williamson §

This instrument was acknowledged before me on 23 day of May, 2011 by Dominic Landon, the ASTUP of Ryland Homes of Texas, Inc., a Texas corporation, General Partner of RH of Texas Limited Partnership, a Maryland limited partnership, on behalf of said corporation and limited partnership.



[Signature]
Notary Public,
State of Texas

AFTER RECORDING RETURN TO:

McLean & Howard, L.L.P.
Attn.: Michael Cihock
901 South Mopac Expressway
Building 2, Suite 225
Austin, Texas 78746

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**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

Dana Debeauvoir

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

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