

AFTER RECORDING RETURN TO:



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BALCONES CREEK

FIRST AMENDMENT TO
DESIGN GUIDELINES – ESTATE LOTS

Cross reference to (i) Balcones Creek Master Covenant, recorded as Document No. 20130055903, in the Official Public Records of Bexar County, Texas; and (ii) Balcones Creek Design Guidelines – Estate Lots, recorded as Document No. 20130061631, in the Official Public Records of Bexar County, Texas.

BALCONES CREEK

FIRST AMENDMENT TO BALCONES CREEK DESIGN GUIDELINES – ESTATE LOTS

This First Amendment to Balcones Creek Design Guidelines – Estate Lots (the “**Amendment**”) is made by LHM BALCONES CREEK DEVELOPMENT, INC., a Texas corporation (the “**Declarant**”) as the BALCONES CREEK REVIEWER, and is as follows:

RECITALS

A. Pursuant to *Section 6.04(b)* of that certain Balcones Creek Master Covenant, recorded as Document No. 20130055903, in the Official Public Records of Bexar County, Texas (the “**Master Covenant**”), Declarant adopted the Balcones Creek Design Guidelines – Estate Lots, recorded as Document No. 20130061631, in the Official Public Records of Bexar County, Texas (the “**Design Guidelines**”).

B. Pursuant to *Section 6.04(b)* of the Master Covenant, the Balcones Creek Reviewer has the power, from time to time, to amend and modify the Design Guidelines.

C. Until the expiration of the Development Period, the Balcones Creek Reviewer is the Declarant.

D. The Declarant as the Balcones Creek Reviewer desires to amend and modify the Design Guidelines as set forth in this Amendment.

NOW, THEREFORE, the Declarant as the Balcones Creek Reviewer hereby amends and modifies the Design Guidelines as follows:

1. **Fences.** The sub-section of the Design Guidelines entitled “Fencing” which is under the section entitled “Landscape Guidelines” is hereby deleted in its entirety and replaced with the following:

Fencing

Solid walls enclosing an entire site are not permitted. All Lots shall have fencing of six feet (6') in height. Fences shall be constructed of either: (a) cedar wood fencing, finished in Wood Defender Sedona or Behr #500 – Natural Transparent; or (b) “pyrite brown” wrought iron or decorative metal construction approved by the Balcones Creek Reviewer. The Fence must be located ten feet (10”) postern to the front elevation of the principal residential structure and no farther from the front elevation than the midpoint of the principal residential structure. In the event of any dispute or disagreement as to the location of a fence on a Lot, the decision of the Balcones Creek Reviewer, in its sole and absolute discretion, will be final.

- Fences facing an existing or proposed street or other right-of-way must have the slats facing the street or public right-of-way and be capped. All other fencing must be “good neighbor fencing”.

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- Fences along the side yard of corner lots shall not be placed closer to the public right-of-way than ten feet (10') feet from such right-of-way or eighteen feet (18') from the back of curb.
- Fences in the front yards must be "pyrite brown" wrought iron or decorative metal construction approved by the Balcones Creek Reviewer. For corner lots, cedar wood fencing, finished in finished in Wood Defender Sedona or Behr #500 - Natural Transparent is allowed on the side yard facing the street or public right-of-way.

Once any Lot that contains a model home is conveyed from either the Declarant or a Homebuilder to an Owner, the fencing on such Lot must be modified to meet the fencing restrictions of this section.

2. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Master Covenant or the Design Guidelines. Unless expressly modified by this Amendment, all other terms and provisions of the Design Guidelines remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED TO BE EFFECTIVE on this 23 day of November, 2015.

DECLARANT AS THE BALCONES CREEK REVIEWER:

LHM BALCONES CREEK DEVELOPMENT, INC., a
Texas corporation

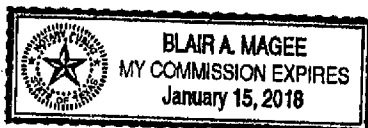
By: [Signature]
Name: JAY HANNA
Title: PRESIDENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 23 day of November, 2015,
by Jay Hanna President of LHM Balcones Creek
Development, Inc., a Texas corporation, on behalf of said corporation.

(Seal)

[Signature]
Notary Public Signature



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BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees \$34.00

STATE OF TEXAS
COUNTY OF BEXAR
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was e-FILED and e-RECORDED in the Official
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on this date and time stamped thereon.
11/23/2015 4:22PM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerard C. Rickhoff