



**FIFTH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR SENDERO SPRINGS**

THE STATE OF TEXAS

§
§
§
§
§
§
§

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON

This Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for Sendero Springs, is made to be effective on the date hereinafter set forth by HYLAND NORTH JOINT VENTURE, a Texas joint venture ("**Declarant**").

RECITALS:

A. By Declaration of Covenants, Conditions and Restrictions for **Sendero Springs, Section One** (the "**Declaration**") recorded as Document No. 2002001226 in the Official Public Records of Williamson County, Texas, Declarant imposed certain covenants, restrictions, charges and liens upon certain real property located in Williamson County, Texas as therein described.

B. By First Amendment to Declaration of Covenants, Conditions and Restrictions for **Sendero Springs, Section Two** (the "**First Amendment**") recorded as Document No. 2002053365 in the Official Public Records of Williamson County, Texas, Declarant brought Sendero Springs, Section Two within the scheme of the Declaration and modified the Declaration as to Section Two.

C. By Second Amendment to Declaration of Covenants, Conditions and Restrictions for **Sendero Springs, Section Three** (the "**Second Amendment**") recorded as Document No. 2004086294 in the Official Public Records of Williamson County, Texas, Declarant brought Sendero Springs, Section Three within the scheme of the Declaration and modified the Declaration as to Section Three.

D. By Third Amendment to Declaration of Covenants, Conditions and Restrictions for **Sendero Springs, Section Four** (the "**Third Amendment**") recorded as Document No. 2004094487 in the Official Public Records of Williamson County, Texas, Declarant brought Sendero Springs, Section Four within the scheme of the Declaration and modified the Declaration as to Section Four.

E. By Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for **Sendero Springs, Section Five** (the "**Fourth Amendment**") recorded as Document No. 2007054707 in the Official Public Records of Williamson County, Texas, Declarant brought Sendero Springs, Section Five within the scheme of the Declaration and modified the Declaration as to Section Five.

F. Declarant is the owner of that certain real property known as **Sendero Springs, Section Six**, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded as Document No. 2011030411 of the Plat Records of Williamson County, Texas ("**Sendero Springs, Section Six**").

G. Section 3.2 of the Declaration provides that Declarant shall have the right at any time and from time to time to bring within the scheme of the Declaration additional properties in future stages of the development of the Sendero Springs subdivision and make such modifications of the Declaration as may be determined by Declarant to be appropriate for such additional property.

H. It is deemed to be in the best interests of Declarant and any other persons who may purchase lots out of Sendero Springs, Section Six that there be established and maintained a uniform plan for the improvement and development said lots and said subdivision for the purpose of enhancing and protecting the value, desirability and attractiveness of said real property.

I. Declarant desires to bring **Sendero Springs, Section Six** within the scheme of the Declaration and to modify the Declaration as to Sendero Springs, Section Six as hereinafter set forth.

DECLARATIONS:

NOW, THEREFORE, Declarant hereby declares as follows:

1. Addition to Property Subject to Declaration. The following real property (collectively, the "**Additional Land**") is hereby added to the Properties subject to and covered by the Declaration:

All of the Lots within **SENDERO SPRINGS, SECTION SIX**, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded as Document No. 2011030411 of the Plat Records of Williamson County, Texas.

2. Modification of the Declaration as to the Additional Land. The Additional Land shall be held, transferred, sold, conveyed, occupied and used subject to the covenants, restrictions, charges and liens as set forth in the Declaration, provided that as the same relate to the Additional Land only, the terms and provisions of the Declaration are modified as follows:

(a) Section 5.5 of the Declaration is hereby amended to **add** the sentence below:

The total living area of each principal residence erected on any Lot having approximately fifty (50) feet of frontage on the adjacent street shall have a floor area of not less than one thousand six hundred (1,600) square feet nor more than three thousand five hundred (3,500) square feet.

(b) Section 5.8 of the Declaration is hereby amended by retaining the language of Article 5.8 in its entirety with the exception that the language below is **deleted** from Article 5.8 Fences as to Section Six:

The Lots are, but not limited to, Block K/100 (partial), K/101, 102, 106, 107, 108, 113, 114 (partial), L/13 (partial), L/14, M/1, M/5-12, M/26-29.

The following language is **added** to Article 5.8 Fences as to Section Five:

The Lots are, but not limited to, Lots 13, 14, 15, and 22-27 of Block A; and Lots 9, 10, 11 (partial), 19 (partial), 20, 21 (partial), 25 – 31, 33, 34, 35, 37, 38, 39, 40, 41, and 47 (side yard) of Block B.

(c) Section 5.14 of the Declaration is hereby amended by retaining the language of Article 5.14 in its entirety with the exception that the language below is **deleted** from Article 5.14 as to Section Five.

5.14 Masonry ...Additionally, Lots 19 through 25 and Lot 30, Block B; Lot 8, Block D, Lots 108, Lots 113 through 116, and Lots 120 through 135, Block K; and Lots 1 through 12 and Lots 15 through 20, Block M, of the Subdivision at least 60% of the surface area of the second story of the side elevations, and at least sixty percent (60%) of the entire surface area of the rear elevations (ground floor and the second floor), shall be constructed of masonry materials.

The following language is **added** to Article 5.14 Masonry as to Section Six

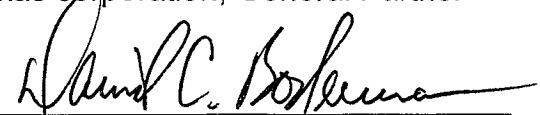
5.14 Masonry ...Additionally, Lots 2-11 of Block A, and Lots 2-9 of Block B, of the Subdivision at least seventy-five percent (75%) of the entire surface area of the side and rear elevations (ground floor and the second floor), shall be constructed of masonry materials.

EXECUTED this 14th day of MARCH, 2011.

DECLARANT:

HY-LAND NORTH JOINT VENTURE

By: HRI DEVELOPMENT CORPORATION,
a Texas corporation, General Partner

By: 
David C. Bodenman, President

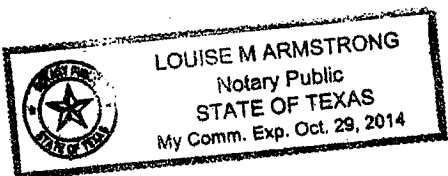
By: BRUSHY CREEK DEVELOPMENT CORPORATION, a Texas corporation, General Partner

By: David C. Bodenman
David C. Bodenman, President

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on the 14 day of March, 2011, by David C. Bodenman, as President of HRI Development Corporation, a Texas corporation, as General Partner of HY-LAND NORTH JOINT VENTURE, a Texas joint venture, on behalf of said corporation and said joint venture.

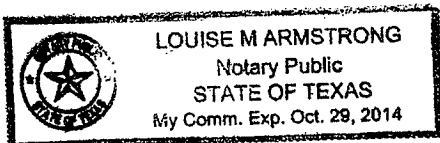


Louise Armstrong
Louise Armstrong
NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on the 14 day of March, 2011, by David C. Bodenman, as President of Brushy Creek Development Corporation, a Texas corporation, as General Partner of HY-LAND NORTH JOINT VENTURE, a Texas joint venture, on behalf of said corporation and said joint venture.



Louise Armstrong
Louise Armstrong
NOTARY PUBLIC, State of Texas

AFTER RECORDING, RETURN TO:

David Bodenman
Highland Resources, Inc.
211 E. 7th Street, Suite 709
Austin, TX 78701

① Gray-Jansing & Assoc
Attn: John Hines
8217 Shoal Creek Blvd
Ste 200
Austin, TX 78757

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2011031960

Nancy E. Rister

05/17/2011 02:49 PM

CPHELPS \$28.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS