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**Hays County Texas
Liz Q. Gonzalez
County Clerk**

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Parties: DRIFTWOOD 323 VINEYARD LTD

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***** 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.



I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez

Liz Q. Gonzalez, County Clerk

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
EASEMENT AND RESTRICTIONS FOR VINEYARD ESTATES**

This First Amendment to Declaration of Covenants, Conditions, Easement and Restrictions for Vineyard Estates (this "First Amendment") is executed and acknowledged by **Driftwood 323 Vineyard, Ltd., at Texas limited partnership** (the "Declarant"), the Declarant under the Declaration of Covenants, Conditions, Easement and Restrictions for Vineyard Estates dated June 7, 2007 and recorded as Document No.70016560, Volume 3182, Page 369 of the Official Public Records of Hays County, Texas (the "Declaration"). The Declaration applies to THE VINEYARD - PHASE 1, a subdivision in Hays County, Texas (the "Subdivision"), according to the map or plat of record in Volume 14, Pages 26-27 of the Plat Records of Hays County, Texas (the "Subdivision Plat"). Capitalized terms not specifically defined herein have the meanings assigned to them in the Declaration.

Recitals

- A. Declarant is the original Declarant under the Declaration, and has the power to amend the Declaration pursuant to the terms of Section 8.06 of the Declaration.
- B. Declarant wishes to amend the Declaration to clarify that construction in the shaded area on the Subdivision Plat which covers portions of Lots 36-40 of the Subdivision is prohibited, and to permit above-ground rainwater storage tanks, as more specifically set forth hereinbelow.

Amendments

The Declaration is hereby amended as follows:

- 1. The Declaration is hereby amended to add the following as the last sentences of Section 3.04: "Construction of any fences, dwellings, or structures of any kind, above or below ground, is prohibited in the shaded areas of Lots 36, 37, 38, 39 and 40 shown on the Subdivision Plat. Landscaping shall be permitted in such shaded areas, but is subject to review and approval of landscaping by the Declarant or ACC as provided herein."
- 2. The Declaration is hereby amended to add the following as the last sentences of Section 3.10: "Notwithstanding the foregoing, above-ground rainwater storage tanks are permissible in the Subdivision, so long as the same are constructed with exterior siding and roofs which match the exterior siding and roof of the main dwelling on

any Lot, and are otherwise submitted for approval and approved pursuant to the terms hereof."

Miscellaneous

Except as amended hereby, the Declaration remains in full force and effect. To the extent of any conflict between the terms of this First Amendment and the Declaration, this First Amendment shall control.

IN WITNESS WHEREOF, the undersigned Declarant has executed this First Amendment on this 18 day of June, 2015.

**DRIFTWOOD 323 VINEYARD, LTD., a
Texas limited partnership**

By: DV 249 GP, L.L.C., a Texas limited liability company, general partner

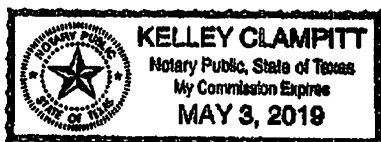
By: [Signature]
Name: Steve Kimberly
Title: Member

THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned notary public, this day personally appeared Steve Kimberly as Member of DV 249 GP, L.L.C., a Texas limited liability company, general partner of Driftwood 323 Vineyard, Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes and in the capacity expressed therein.

GIVEN, under my hand and seal of office this 18 day of June, 2015.



[Signature]
Notary Public in and for the State of Texas
Print Name: Kelley Clappitt
My Commission Expires: 5/3/19