

NOTICE OF CONFIDENTIALITY RIGHTS: "IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER."

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
for
SADDLE CREEK SUBDIVISION PHASE 1**

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF BRAZOS §

WHEREAS, **SADDLE CREEK PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP**, (the "Declarant"), together with a majority of the Owners (the "Owners") executing this amendment, are the sole owners of that certain property known as **SADDLE CREEK SUBDIVISION PHASE 1**, a Brazos County subdivision according to the map or plat thereof recorded in **Volume 7920, Page 176**, of the Official Records of **BRAZOS** County, Texas (the "Subdivision"); and

WHEREAS, Declarant by that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions of **SADDLE CREEK SUBDIVISION PHASE 1**" recorded in **Volume 8195, Page 269** of the Official Records of **BRAZOS** County, Texas, (the "Declaration"), imposed on the Subdivision all those certain covenants, conditions, restrictions, and easements therein set forth; and

WHEREAS, the Declarant and Owners have determined that it is in the best interest of **SADDLE CREEK SUBDIVISION PHASE 1** to amend the Declaration of Covenants, Conditions and Restrictions amended by an instrument signed by a majority of the owners of the Lots within the Subdivision, which said instrument must be filed of record in the Official Records of Brazos County, Texas; and

WHEREAS, the Owners own the following described Lots and wish to amend the Declaration as set forth below:

BEING ALL OF LOTS THREE (3), FOUR (4) AND FIVE (5), BLOCK ONE (1); ALL OF LOTS SIXTY ONE (61), SIXTY THREE (63), SIXTY FOUR (64), SIXTY EIGHT (68), SIXTY NINE (69), SEVENTY (70), SEVENTY TWO (72), AND SEVENTY THREE (73), BLOCK TWO (2); AND, ALL OF LOTS FORTY TWO (42), FORTY THREE (43), FORTY FIVE (45), FORTY SIX (46), FORTY EIGHT (48), FORTY NINE (49), FIFTY (50), FIFTY ONE (51), AND FIFTY THREE (53), BLOCK THREE (3), SADDLE CREEK SUBDIVISION PHASE 1, A SUBDIVISION IN BRAZOS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 7920, PAGE 176 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS;

WHEREAS, the Declarant owns all of the remaining Lots in the Subdivision and wishes to amend the Declaration as set forth below:

BEING ALL OF LOTS ONE (1) AND TWO (2) SIX (6), AND SEVEN (7), BLOCK ONE (1); ALL OF LOTS SIXTY TWO (62), SIXTY FIVE (65), SIXTY SIX (66), SIXTY SEVEN (67) AND SEVENTY FOUR (74), BLOCK TWO (2); ALL OF LOTS FORTY FOUR (44) AND FORTY SEVEN (47), BLOCK THREE (3); AND ALL OF LOTS FIFTY FOUR (54), FIFTY FIVE (55), FIFTY SIX (56), AND FIFTY SEVEN

(57), BLOCK FOUR (4); SADDLE CREEK SUBDIVISION PHASE 1, A SUBDIVISION IN BRAZOS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 7920, PAGE 176 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

NOW, THEREFORE, the undersigned being the Declarant and Owners of the above-described Lots, hereby amend the Declaration as follows:

ARTICLE III A-12

No building or structure, except fences, shall be located on any PARCEL nearer to the front property line than fifty feet (50'), or nearer to either side of the property line than twenty five feet (25'), or nearer to the back property line than twenty five feet (25'); unless approved by the architectural control committee for an irregular shaped lot.

The amendment of the Declaration set forth above shall replace the existing **ARTICLE III A-12** completely, be deemed to be a part of, and shall be interpreted in accordance with the Declaration. All provisions of the Declaration not amended hereby are hereby ratified and confirmed in each and every particular, and shall continue in full force and effect pursuant to the terms of the Declaration.

IN WITNESS WHEREOF, the undersigned, being the owners of all of the Lots in the Subdivision subject to the terms of the Declaration have executed this instrument to be effective upon filing of record in the Official Records of Brazos County, Texas.

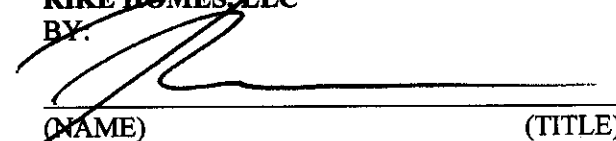
Date: AUGUST 5th, 2008

SADDLE CREEK PARTNERS, LTD.,
BY: JUSTLAND DEVELOPMENT, LLC,
ITS GENERAL PARTNER
BY:



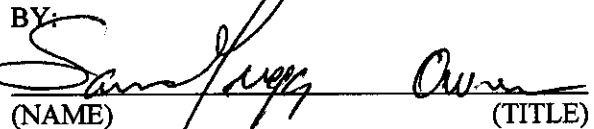
M. L. SCHEHIN, MANAGING MEMBER
OWNER OF LOTS 1, 2, 6, & 7, BLOCK 1; LOTS 62, 65, 66, & 74, BLOCK 2; LOTS 44 & 47, BLOCK 3; AND LOTS 54, 55, 56, & 57, BLOCK 4

RIKE HOMES, LLC
BY:



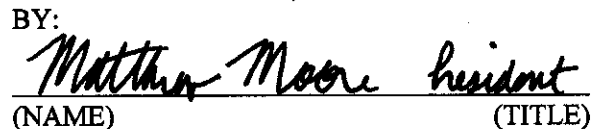
(NAME) (TITLE)
OWNER OF LOT 55, BLOCK 4

GREGG CUSTOM HOMES, LLC

BY: 

(NAME) (TITLE)
OWNER OF LOT 3, BLOCK 1

RIVER HILL HOMES, INC.

BY: 

(NAME) (TITLE)
OWNER OF LOT 61, BLOCK 2



DEBBIE HANSON
OWNER OF LOT 68, BLOCK 2

MARYBETH MORAN MURPHY
OWNER OF LOT 73, BLOCK 2





STEPHEN FOWLER
OWNER OF LOT 63, BLOCK 2


A. SHAYE MURPHY
OWNER OF LOT 73, BLOCK 2




MARTI FOWLER
OWNER OF LOT 63, BLOCK 2


CHRIS RUTLEDGE
OWNER OF LOT 64, BLOCK 2



KIM RUTLEDGE
OWNER OF LOT 64, BLOCK 2



ALLEN BYRD
OWNER OF LOT 69, BLOCK 2

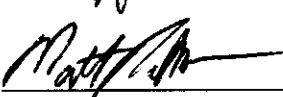

DEANNA BYRD
OWNER OF LOT 69, BLOCK 2


CHARLES GILLMAN
OWNER OF LOT 70, BLOCK 2

JAMIE GILLMAN
OWNER OF LOT 70, BLOCK 2

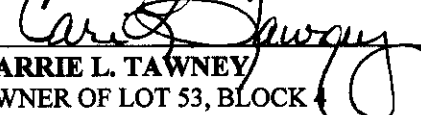

JEFF MILES
OWNER OF LOT 72, BLOCK 2


NORA MILES
OWNER OF LOT 72, BLOCK 2


MATTHEW PEKAR
OWNER OF LOT 42, BLOCK 3


KIMBERLY PEKAR
OWNER OF LOT 42, BLOCK 3


RONNIE R. TAWNEY
OWNER OF LOT 53, BLOCK 4


CARRIE L. TAWNEY
OWNER OF LOT 53, BLOCK 4

KAREN HUGHES
OWNER OF LOT 4, BLOCK 1


CAROL LYNN WERNER
OWNER OF LOT 4, BLOCK 1

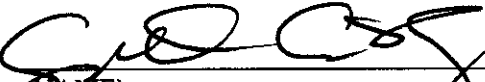
NICOLAS MARTINEZ
OWNER OF LOT 5, BLOCK 1

OFELIA MARTINEZ
OWNER OF LOT 5, BLOCK 1

MLS DEVELOPMENT CORPORATION
BY:

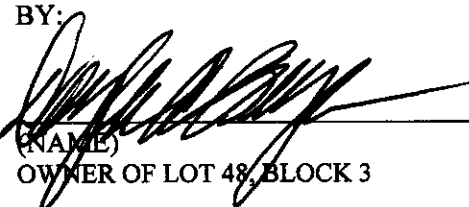
ELH - ELEGANT LIVING HOMES, INC.
BY:

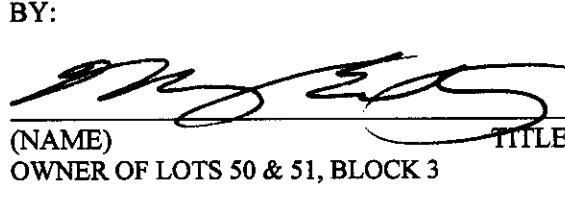

M. L. SCHEHIN, PRESIDENT
OWNER OF LOT 43, BLOCK 3

 Vice President
(NAME) (TITLE)
OWNER OF LOTS 45 & 46, BLOCK 3

DOUBLE D HOMES, LLC
BY:

EASTERLING HOMES, LLC
BY:

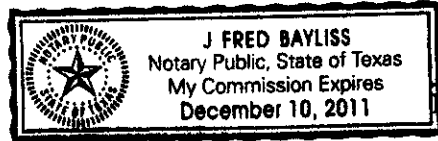

(NAME) (TITLE)
OWNER OF LOT 48, BLOCK 3


(NAME) (TITLE)
OWNER OF LOTS 50 & 51, BLOCK 3

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me, the undersigned authority, on this the 5th day of AUGUST, 2008, by **M. L. SCHEHIN, MANAGING MEMBER OF JUSTLAND DEVELOPMENT, LLC, A LIMITED LIABILITY CORPORATION, GENERAL PARTNER OF SADDLE CREEK PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP**, on behalf of said Limited Partnership.

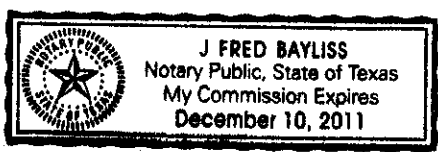


[Signature]
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me, the undersigned authority, on this the 6th day of AUGUST, 2008, by Matthew Mould, President, **RIVER HILL HOMES, INC., A TEXAS CORPORATION**, on behalf of said Corporation.

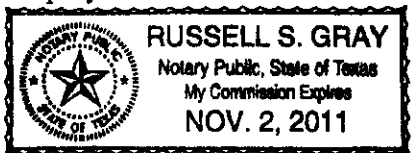


[Signature]
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me, the undersigned authority, on this the 11th day of AUGUST, 2008, by Sam Gregg, Managing Member/owner, **GREGG CUSTOM HOMES, LLC, A TEXAS LIMITED LIABILITY COMPANY**, on behalf of said Limited Liability Company.

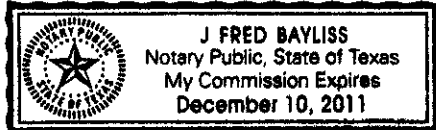


[Signature]
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me, the undersigned authority, on this the 5th day of AUGUST, 2008, by Tom Rike, Managing Member, **RIKE HOMES, LLC, A TEXAS LIMITED LIABILITY COMPANY**, on behalf of said Limited Liability Company.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

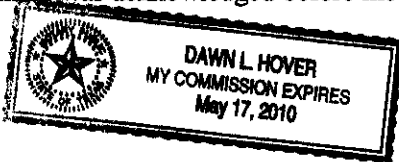
THE STATE OF TEXAS §
COUNT OF BRAZOS §

~~This instrument was acknowledged before me on this the _____ day of AUGUST, 2003, by KAREN HUGHES AND CAROL LYNNE WERNER.~~

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §
COUNT OF BRAZOS §

This instrument was acknowledged before me on this the 14th day of AUGUST, 2003, by DEBBIE HANSON.

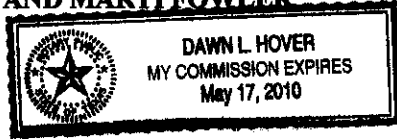


Dawn L. Hover

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §
COUNT OF BRAZOS §

This instrument was acknowledged before me on this the 5th day of ~~AUGUST~~ September, 2003, by STEPHEN FOWLER AND MARTI FOWLER

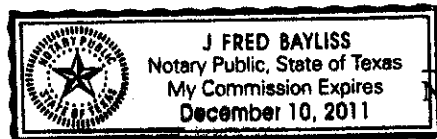


Dawn L. Hover

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §
COUNT OF BRAZOS §

This instrument was acknowledged before me on this the 5th day of AUGUST, 2003, by CHRIS RUTLEDGE AND KIM RUTLEDGE.

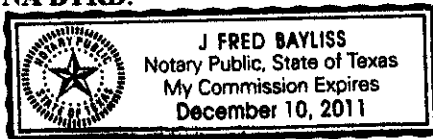


J Fred Bayliss

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §
COUNT OF BRAZOS §

This instrument was acknowledged before me on this the 8th day of AUGUST, 2003, by ALLEN BYRD AND DEANNA BYRD.



J Fred Bayliss

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNT OF BRAZOS §

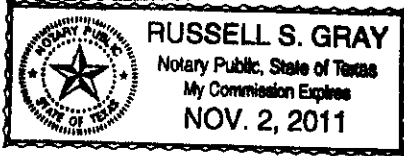
~~This instrument was acknowledged before me on this the ___ day of AUGUST, 2003, by CHARLES GILLMAN AND JAMIE GILLMAN.~~

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNT OF BRAZOS §

This instrument was acknowledged before me on this the 8th day of AUGUST, 2003, by JEFF MILES AND NORA MILES.

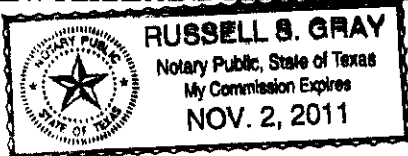


Russell S. Gray
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNT OF BRAZOS §

This instrument was acknowledged before me on this the 19th day of AUGUST, 2003, by MATTHEW PEKAR AND KIMBERLY PEKAR.

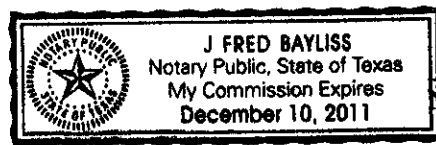


Russell S. Gray
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNT OF BRAZOS §

This instrument was acknowledged before me on this the 19th day of AUGUST, 2003, by RONNIE R. TAWNEY AND CARRIE L. TAWNEY.



J Fred Bayliss
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNT OF BRAZOS §

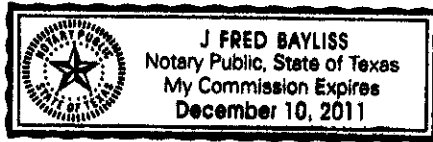
~~This instrument was acknowledged before me on this the ___ day of AUGUST, 2003, by MARYBETH MORAN MURPHY AND A. SHAYE MURPHY.~~

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me, the undersigned authority, on this the 5th day of AUGUST, 2008, by **M. L. SCHEHIN, PRESIDENT OF MLS DEVELOPMENT CORPORATION, A TEXAS CORPORATION**, on behalf of said Corporation.

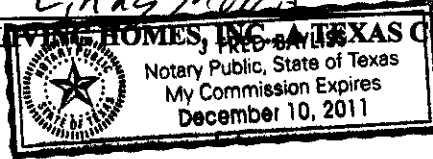


[Signature]
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me, the undersigned authority, on this the ____ day of AUGUST, 2008, by *Cindy Moya*, *President*, **ELH - ELEGANT LIVING HOMES, INC., A TEXAS CORPORATION**, on behalf of said Corporation.

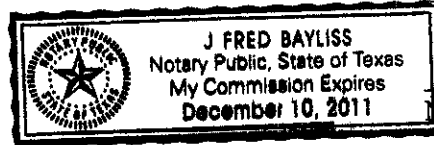


[Signature]
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me, the undersigned authority, on this the 7th day of AUGUST, 2008, by *Marty Eastler*, *Manager*, **EASTERLING HOMES, LLC, A TEXAS LIMITED LIABILITY COMPANY**, on behalf of said Limited Liability Company.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

Filed for Record in:
BRAZOS COUNTY

On: Dec 03, 2008 at 03:34P

As a
Recording

Document Number: 01015579

Amount 35.00

Receipt Number - 355163

By:
Teresa Ramirez

STATE OF TEXAS

COUNTY OF BRAZOS

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of:

BRAZOS COUNTY

as stamped hereon by me.

Dec 03, 2008

HONORABLE KAREN MOQUEEN, COUNTY CLERK
BRAZOS COUNTY