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FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
WOODS OF WESTLAKE HEIGHTS AND  
WOODS OF WESTLAKE RENAISSANCE,  
TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS §  
  §  
COUNTY OF TRAVIS §

**RECITALS:**

WHEREAS, by instrument entitled "Declaration of Covenants, Conditions and Restrictions for Woods of Westlake Heights and Woods of Westlake Renaissance" dated effective April 8, 1993, and recorded in Volume 11942, Page 749, Real Property Records of Travis County, Texas (the "Declaration"), The Woods of Westlake Heights, Ltd., a Texas limited partnership ("Declarant"), imposed certain covenants and restrictions upon the real property covered by the Declaration; and

WHEREAS, Declarant desires to amend the Declaration as set forth below;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT:

1. Section 2.3(b) of the Declaration is hereby amended to read in its entirety as follows:

"Except as provided below, each single family residence constructed on the Property shall contain not less than two thousand six hundred (2,600) square feet of enclosed living space, exclusive of porches and patios (open or covered), decks and garages. The first floor of any two story residence shall contain at least one thousand five hundred (1,500) square feet of total living area. However, with respect to residences in WOODS OF WESTLAKE RENAISSANCE Subdivision constructed of one hundred percent (100%) masonry, such residences must contain at least two thousand two hundred (2,200) square feet of enclosed living space, exclusive of porches and patios (open or covered), decks and garages. The first floor of any two story residence constructed with one hundred percent (100%) masonry in the WOODS OF WESTLAKE RENAISSANCE Subdivision shall contain at least one thousand two hundred (1,200) square feet of total living area."

2. Section 6.1 of the Declaration is hereby amended to read in its entirety as follows:

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"The subdivision plat of WOODS OF WESTLAKE RENAISSANCE reflects a common ingress, egress and access easement (the "Easement") across and through Lots Two (2) through Six (6), WOODS OF WESTLAKE RENAISSANCE Subdivision. The Easement has been established by the subdivision plat of WOODS OF WESTLAKE RENAISSANCE for the purposes of providing the Owners of Lots One (1) through Six (6) of WOODS OF WESTLAKE RENAISSANCE (the "Easement Lots") with a reciprocal non-exclusive right of vehicular and pedestrian ingress, egress and access to and from each Easement Lot via driveway improvements which may, at each Owner's sole election and cost, be constructed on the Easement. No Owner nor Declarant shall be obligated to construct any driveway improvements on the Easement. The Owners may access directly onto Shannon Oaks Trail in addition to or in lieu of using the Easement. The Owners of the Easement Lots and their tenants, employees, agents, customers and invitees shall have the benefits of such rights."

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

4. By their execution below, the President and Secretary of Woods of Westlake Heights Owners Association, Inc., a Texas non-profit corporation, hereby certify that Declarant holds a majority of the votes entitled to be cast.

5. All capitalized terms not defined herein shall have the same meaning as set forth in the Declaration. All other terms and provisions of the Declaration shall remain unchanged and the Declaration shall continue in full force and effect.

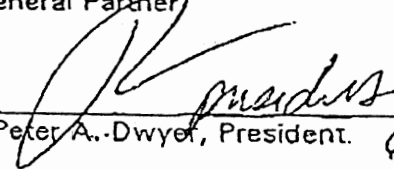
Executed this 5<sup>TH</sup> day of June, 1997.

DECLARANT:

THE WOODS OF WESTLAKE HEIGHTS, LTD.,  
a Texas limited partnership

By: WESTLAKE HEIGHTS DEVELOPMENT  
CORPORATION, a Texas corporation,  
as General Partner

By:

  
Peter A. Dwyer, President. 6/5/97

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EXECUTED TO CERTIFY AS TO THE MATTERS SET FORTH IN ITEM 4 ABOVE:

WOODS OF WESTLAKE HEIGHTS OWNERS ASSOCIATION, INC., a Texas non-profit corporation

By: *Peter A. Dwyer*  
Peter A. Dwyer, President 6/5/97

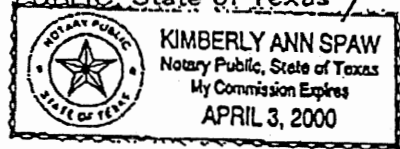
By: *Robert Johnson*  
Robert Johnson, Secretary

THE STATE OF TEXAS §  
§  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 5<sup>th</sup> day of June, 1997, by PETER A. DWYER, President of WESTLAKE HEIGHTS DEVELOPMENT CORPORATION, a Texas corporation, as General Partner of THE WOODS OF WESTLAKE HEIGHTS, LTD., a Texas limited partnership, on behalf of said corporation and said limited partnership.

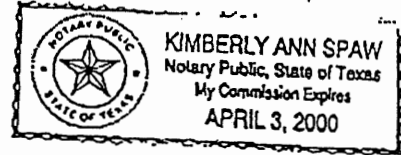
*Kimberly Ann Spaw*  
NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS §  
§  
COUNTY OF TRAVIS §



This instrument was acknowledged before me on the 5<sup>th</sup> day of June, 1997, by PETER A. DWYER, President of WOODS OF WESTLAKE HEIGHTS OWNERS ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said non-profit corporation.

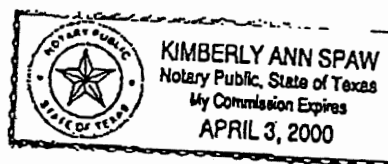
*Kimberly Ann Spaw*  
NOTARY PUBLIC, State of Texas



THE STATE OF TEXAS §  
§  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 5<sup>th</sup> day of June, 1997, by ROBERT JOHNSON, Secretary of WOODS OF WESTLAKE HEIGHTS OWNERS ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said non-profit corporation.

*Kimberly A. Spaw*  
NOTARY PUBLIC, State of Texas



**FILED**  
97 JUN -5 PM 4:02  
DANA DEBEAUVOIR  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS  
I hereby certify that this instrument was FILED on the date and at the time stamped herein by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, on

JUN 5 1997



*Dana Debeauvoir*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

AFTER RECORDING RETURN TO:

RICK TRIPLETT, ESQUIRE  
GRAVES, DOUGHERTY, HEARON & MOODY  
POST OFFICE BOX 98  
AUSTIN, TX 78767

RECEIPT#: A00074246 TRAYS#: A6383 DEPT: REGULAR RECORD \$15.00  
CASHIER: BATHJ FILE DATE: 6/5/97 TRAMS DATE: 6/5/97  
PAID BY: CHECK# 3374

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

12949 0998

*(Handwritten mark)*