

COOL WATER RANCH, LTD.

TO

THE PUBLIC

SECOND AMENDMENT OF DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
THE COOL WATER RANCH

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF GILLESPIE

§

WHEREAS, COOL WATER RANCH, LTD. has executed and filed that certain Declaration of Covenants, Conditions and Restrictions of The Cool Water Ranch (herein "Declaration") dated July 5, 2006, recorded under County Clerk's File No. 20064225 of the Official Public Records of Gillespie County, Texas; and

WHEREAS, COOL WATER RANCH, LTD. has executed and filed that certain First Amendment of Declaration of Covenants, Conditions and Restrictions of The Cool Water Ranch dated March 2, 2007, recorded under County Clerk's File No. 20071105 of the Official Public Records of Gillespie County, Texas; and

WHEREAS, COOL WATER RANCH, LTD. is the Declarant as defined in the Declaration; and

WHEREAS, pursuant to ARTICLE XIII. AMENDMENT of the Declaration, Declarant has reserved to itself, in Declarant's sole discretion without any joinder or consent of any other party, the right to amend the Declaration for the purpose of correcting any error, ambiguity, or inconsistency appearing therein, or for any other reason whatsoever deemed necessary for the benefit of the overall development as determined by the Declarant. Declarant determines that the Amendment contained herein, is necessary (1) to correct errors, ambiguities, or inconsistencies or (2) for the benefit of the overall development of the subdivision;

NOW, THEREFORE, the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE COOL WATER RANCH is amended as follows:

AMENDMENT NO. 1

Paragraph (4) Single Family Dwelling Size., of Section 2. Residential Restrictions. of ARTICLE VIII., RESTRICTIVE COVENANTS. of the Declaration is amended by the incorporation of the following as an addition to, and part of, paragraph (4) Single Family Dwelling Size:

The improvements situated on Tract No. 12 and Tract No. 48 ("Predeclaration Improvements") were erected prior to the execution of the Declaration. The renovation, remodeling, restoration and construction of Improvements which incorporate the Predeclaration Improvements are not subject to any of the following express requirements in the Declaration: 1) the minimum square footage requirements as contained in this Paragraph (4); 2) that only new materials may be used; 3) that a Single-Family Dwelling complying with the requirements in the Declaration be erected before, or after, renovation of the Predeclaration Improvements. Such renovations, remodelings, restorations and additions to Predeclaration Improvements shall otherwise be subject to the terms, conditions and provisions of this Declaration.

The amendment herein shall be effective from and after the date that it is duly filed in the Official Public Records of Gillespie County, Texas.

The amendment herein shall be a burden running with the land and be enforceable by and against the undersigned, its heirs, successors and assigns, and all Owners of Tracts in the Cool Water Ranch Subdivision.

In all other respects, the provisions of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE COOL WATER RANCH shall continue in full force and effect as written without change.

EXECUTED this the \_\_\_\_ day of \_\_\_\_\_, 2008.

COOL WATER RANCH, LTD.

By COOL WATER RANCH ONE, LLC, its  
General Partner

By: \_\_\_\_\_  
CHARLES E. ITZ, Member and Manager

By: \_\_\_\_\_  
RICHARD STEHLING, JR., Member and Manager

By: \_\_\_\_\_  
SHERMAN D. DURST, Member and Manager

By: \_\_\_\_\_  
CARROLL J. BRYLA, Member and Manager

STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, 2008, by CHARLES E. ITZ, RICHARD STEHLING, JR., SHERMAN D. DURST, and CARROLL J. BRYLA, Members and Managers of COOL WATER RANCH ONE, LLC, the General Partner of COOL WATER RANCH, LTD, a Texas Limited Partnership.

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Notary Public, State of Texas