

CAVE SPRINGS ADDITION, SECTION FIVE, PHASE TWO
AMENDMENT TO RESTRICTITONS

JAN 16 2015

WHEREAS, Cave Springs Ranch, Inc. caused to be filed a certain document entitled Restrictions Cave Spring Addition, Section Five, Phase Two dated June 6, 1985 and is recorded in Volume 335, Page 289 of the Deed Records of Kerr County, Texas. Cave Springs Owners Association, Inc. did cause to be filed a certain document entitled Cave Spring Addition, Section Five, Phase Two, Amendment to Restriction, dated December 27, 1996 and recorded in Volume 881, Page 571 of the Real Property Records of Kerr County, Texas.

WHEREAS, upon the written approved by the owners of a majority of the square foot area of the residential lots within Cave Spring Addition in accordance with Section (p) of the Restrictions for Cave Springs Addition, Section Five, Phase Two as recorded in Volume 335, Page 289 of the Deed Records of Kerr County, Texas, Cave Springs Owners Association, Inc., by Corporate Resolution, authorized the following Amendments to Cave Spring Addition, Section Five, Phase Two.

NOW THEREFORE, the following provisions of the Restrictions are hereby amended as follows:

1. Section (c) Restrictions for Cave Springs Addition, Section Five, Phase Two as recorded in Volume 335, Page 289 of the Deed Records of Kerr County, Texas is amended to read as follows:

“(c) Unless otherwise approved by the Architectural Control Committee, no building shall be located neared than thirty (30) feet to the front line and no building shall be located on any residential building plot nearer than then (10) feet from such plot’s side lines, nor nearer than thirty (30) feet from any rear lot line, except a detached garage and/or stable which shall be located at least ten (10) feet from any side or rear lot line if situated at the rear of the main residence building. The term “detached garage” shall mean a separate building having no common wall with the main residence building. Unless otherwise approved by the Architectural Control Committee, all improvements shall be constructed to front on the street on which the building plot faces.”

2. Section (g) Restrictions for Cave Springs Addition, Section Five, Phase Two as recorded in Volume 335, Page 289 of the Deed Records of Kerr County, Texas is amended to read as follows:

“(g) No residential structure shall be placed on any lot unless it has at least 1,800 square feet of heated living area, exclusive of open porches and garages with no less than 1,100 square feet of heated living area on the ground floor of a dwelling of more than one story. All primary residences constructed in this Section shall contain a two car garage. The garage may be either closed in or open. All open carports and garages must match the architectural style of the residence.”

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3. Section (h) Restrictions for Cave Springs Addition, Section Five, Phase Two as recorded in Volume 335, Page 289 of the Deed Records of Kerr County, Texas is amended to read as follows:

“(h) The exterior walls of all residences shall be at least fifty-one percent (51%) brick, brick veneer, stone, stone veneer, concrete or other masonry type construction with Hardiboard and similar wood substitutes covering no more than forty-nine percent (49%) of the exterior walls, but the Architectural Control Committee, as outlines in Paragraph (b) above, shall have the power to waive the masonry requirement so as to allow the erection of a residence of all wood panel walls. All new roofing materials must meet or exceed Class B Underwriter’s Laboratory fire prevention standards. Composite shingles may be used on all structures. The composite shingles must be UL Class B or higher.

4. Section (p) Restrictions for Cave Springs Addition, Section Five, Phase Two as recorded in Volume 335, Page 289 of the Deed Records of Kerr County, Texas is amended to read as follows:

“(p) The foregoing restrictions, covenants, and conditions shall constitute covenants running with the land and shall be binding upon and inure to the benefit of Cave Springs Development Co., its successors and assigns, and all persons claiming by, through and under it, and shall be effective, until January 1, 1998, and shall automatically be extended thereafter for successive periods of ten (10) years; provided however, that a vote of two thirds of the entire membership of owners of the residential lots in Cave Springs Addition Section Five, Phase Two, may change or terminate the same by executing, acknowledging and filing for record in the office of the County Clerk of Kerr County, Texas, an appropriate instrument or agreement in writing for such purpose.”

Such shall become effective on January 1, 2010. All other recorded Restrictions for said Section Five, Phase Two remain in full force and effect except as specifically amended hereby. In the event of conflict between the terms, conditions and provisions of this Amendment and Restrictions or Previous Amendments to the Restrictions, the terms, conditions and provisions of this Second Amendment shall control.

Executed this the 19 day of December, 2007.

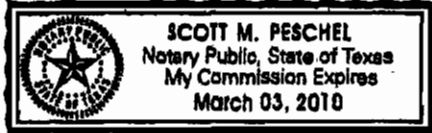
Cave Springs Owners Association, Inc.


Brooks William Booker III, President

THE STATE OF TEXAS §
§
COUNTY OF KERR §

JAN 16 2015

This instrument was acknowledged before me on the 19th day of December, 2007 by Brooks William Booker III, President of Cave Springs Owners Association, Inc., on behalf of said corporation.



Scott M. Peschel
Notary Public, State of Texas

✓ Filed By and Return To:
Scott M. Peschel
820 Main St., Suite 100
Kerrville, Texas 78028

FILED FOR RECORD
at 4:35 o'clock P.M.

DEC 19 2007

JANNETT PIEPER
Clerk County Court, Kerr County, Texas
Jannett Pieper Deputy

Provisions herein which restrict the sale, rental or use of the described property because of color or race is invalid and unenforceable under Federal Law.
THE STATE OF TEXAS }
COUNTY OF KERR }
I hereby certify that this instrument was FILED in the File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Kerr County, Texas on

DEC 20 2007



Jannett Pieper
COUNTY CLERK, KERR COUNTY, TEXAS