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**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR
ROGERS RANCH SUBDIVISION UNIT 20, PHASE 1,
PLANNED UNIT DEVELOPMENT**

2000- 0003836

WHEREAS, The Notch Development Partnership, Ltd. ("Declarant"), has heretofore recorded a document entitled "Declaration of Covenants, Conditions and Restrictions For Rogers Ranch Subdivision Unit 20, Phase 1, Planned Unit Development And Provisions For Shavano Rogers Ranch Crosstimber Homeowners Association," recorded in Volume 8173, Page 657, Official Public Records of Real Property of Bexar County, Texas ("Declaration"); and

WHEREAS, the Declaration sets forth certain residential building restrictions and requirements applicable to the residential Lots within Rogers Ranch Subdivision Unit 20, Phase 1, Planned Unit Development ("Subdivision"); and

WHEREAS, the Declaration may be amended by written instrument executed by the Owners of ninety percent (90%) or more of the residential Lots and the Declarant; and

WHEREAS, Declarant and Weekley Homes, L.P. ("Owner") are the sole Owners of all the residential Lots within the Subdivision;

WHEREAS, the Owner and Declarant desire to amend the Declaration with respect to certain residential construction requirements as set forth herein; and

NOW THEREFORE, the undersigned, pursuant to the aforesaid stated rights in the Declaration, do hereby amend the Declaration as follows:

1. Article V.D.2.a. of the Declaration, appearing on Page 29 thereof, is hereby amended to now read as follows:

- a. Sidewall Design. The sidewall of each house on a corner lot that faces a side street will be designed and completed to create an attractive appearance that is comparable to its front elevation in use of architectural trim and decor, windows, doors and other relief areas.

2. Article V.L.1.a. of the Declaration, appearing on Page 31 thereof, is hereby amended to now read as follows:

1. Driveways

- a. Driveways on each residential Lot and visible from a street must be constructed of broom finished concrete, pebble finish

concrete, stamped concrete, or brick pavers, provided, however, the first four feet (4') of the driveway entry shall be broom finished concrete.

Article V.L.1.d.(2), appearing on Page 32, is hereby deleted in its entirety, and Article V.L.1.d.(3), appearing on Page 32, is hereby renumbered to subsection (2).

3. Articles V.O.1.d. and V.O.1.d.(1) of the Declaration, appearing on Pages 34-35 thereof, are hereby amended to now read as follows:

e. Rear Fencing for Lots 14-21, Block 30: A non-climb cedar post fence installed by the Declarant is to remain in place and may not be taken down, but may be modified as described below. Each Owner is responsible for the proper maintenance of that portion of the fence which abounds the Owners Lot. Lot Owners may:

(1) Remove the non-climb wire portion of the fence and install one inch by four inch (1" x 4"), six feet (6') tall, vertical cedar planks on the outside of the existing cedar post frame. The smooth side shall face the greenbelt and framing shall face the interior of the Lot (Per Exhibit "D") with the approval of the ACC.

4. As hereby amended, the undersigned ratify the remaining provisions of the Declaration that are not inconsistent with this instrument for all purposes.

5. All capitalized terms used herein shall have the meaning assigned to such term in the Declaration unless otherwise expressly provided herein.

Dated and effective as of November 15, 1999.

**THE NOTCH DEVELOPMENT PARTNERSHIP,
LTD., a Texas limited partnership**

By Its General Partner:

**BITTERBLUE, INC., a Texas
corporation**

By: _____

**Lloyd A. Denton, Jr.
President**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on December 23, 1999, by Lloyd A. Denton, Jr., President of Bitterblue, Inc., a Texas Corporation, as General Partner of THE NOTCH DEVELOPMENT PARTNERSHIP, LTD., a Texas limited partnership, on behalf of said limited partnership.



Barbara Kanute
Notary Public, State of Texas

WEEKLEY HOMES, L.P., A DELAWARE
limited partnership

By Its General Partner:

D.M. WEEKLEY, INC., a Delaware
corporation

By: [Signature]

Name: John J. Johnson

Title: President

STATE OF TEXAS §
 §
COUNTY OF Harris §

This instrument was acknowledged before me on December 23, 1999, by John J. Johnson, President of D.M. Weekley, Inc., a Delaware corporation, as General Partner of WEEKLEY HOMES, L.P., a Delaware limited partnership, on behalf of said limited partnership.

Peggy Webb
Notary Public, State of Texas



AFTER RECORDING, PLEASE RETURN TO:

The Notch Development Partnership
11 Lynn Batts Lane, Suite 100
San Antonio, Texas 78218
Attention: Sarah Carrington

F:\BARBARA\DCORS\KERR\121899 WPD

Any provision herein which restricts the sale, or use of the described real property because of race is void and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stipulated herein by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JAN 7 2000



Sergio R. Rios
COUNTY CLERK BEXAR COUNTY, TEXAS

Filed for Record in:
BEXAR COUNTY, TX
BERRY RICKHOFF, COUNTY CLERK

On Jan 07 2000

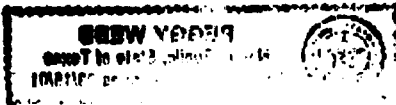
At 10:09am

Receipt #: 294899
Recording: 7.00
Doc/Mgt: 6.00

Doc/Num : 2000- 0003836

Deputy -Catherine Revilla

RECORDER'S MEMORANDUM
AT THE TIME OF RECORDATION, THIS
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