

FILED BY
ALAMO TITLE
RECORD - TUSCANY - KJ

**FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
POTRANCO RANCH SUBDIVISION**

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF MEDINA §

The Declaration of Covenants, Conditions and Restrictions for Potranco Ranch Subdivision, recorded at Volume 874, Page 9, *et seq.*, Official Public Records of Real Property of Medina County, Texas (hereinafter the "Declaration"), is hereby amended by 320 Potranco Ranch, L.L.C, a Texas limited liability company, being the "Declarant" as defined in the Declaration, to-wit:

I.

Section 1.26 is amended as follows:

1.26 Subdivision. "Subdivision" shall mean the Unit 1 of the Potranco Ranch Subdivision, a subdivision in Medina County, Texas, according to the attached Master Development Plan shown at Exhibit A, and Unit 1 being more particularly described by Plat according to the records of Deeds and Plats of Medina County in Book Volume 10, on Page 228 and recorded on the 10th day of December, 2012 (the "Property"), and such other future land in Medina County, Texas as Declarant may make subject to this Declaration in accordance with Section 6.2(a) below. Notwithstanding anything contained herein to the contrary, these Covenants, Conditions and Restrictions as well as the TIRZ and PID shall be applicable only to Unit 1 of the Potranco Ranch Subdivision until such time as any future land is annexed and encumbered by same.

II.

Section 2.22 is amended as follows:

2.22 Streets. Each prospective Owner is hereby notified that the streets within the Subdivision are not public streets, but are private streets. Declarant shall maintain the private streets until such time as they are dedicated to the Public Improvement District. Once dedicated to the Public Improvement District, Declarant shall no

long maintain said private streets and maintenance shall become the responsibility of the Public Improvement District.

(a) The Board may make reasonable rules and regulations, and may prescribe such penalties, as it determines reasonable and necessary to promote safety within the Properties. In the event of Owner or Owner's family member or guest repeatedly violates such rule or fail to operate a motor vehicle at or below the posted maximum rate of speed and in a safe, reasonable and prudent manner on the private streets within the Subdivision, such person may be subject to such penalties, including, but not limited to:

(1) Fines; and/or

(2) The suspension of such person's right to traverse the private streets within the Subdivision via motorized vehicle for a period not to exceed thirty (30) days.

(b) The Board may make such other and further rules regarding notification of safety infractions, proof of safety infractions and/or enforcement of the penalties as may be reasonably necessary to give effect to this Section.

(c) In the event speed and traffic control in the Subdivision are assumed by the City or by some other public agency having the authority to issue penalties for infractions thereof, the penalties prescribed herein may not be imposed in addition to the penalties imposed by said public agency.

II.

The Declaration is amended by the adoption of a new section, numbered as 2.24, which shall read as follows:

2.24. Reduced Pressure Zone ("RPZ"). All Reduced Pressure Zone ("RPZ") equipment and components installed on any Lot within the Subdivision shall be hidden from view or screened by an enclosure or some other method of concealment, which shall require the prior written approval of the Architectural Control Committee, and may include either landscaping or hollow false rocks.

III.

Section 5.1(e) of the Declaration is amended as follows:

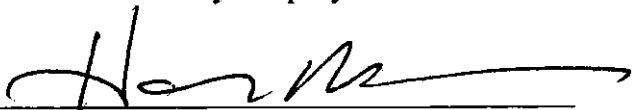
(e) The Assessments shall be used exclusively for the purpose of promoting the comfort, health, safety and welfare of the Owners, and for carrying out the purposes of the Association as stated herein or as otherwise provided in the Certificate of Formation of the Association. The Assessments shall not be used for any purpose for which the Public Improvement District was established and assigned responsibility, as set forth more fully in Section 1.23 of the Declaration.

Except as stated above, the Declaration is otherwise ratified, confirmed and carried forward in full force and effect.

Thus adopted by 320 Potranco Ranch, L.L.C., Declarant, which at the time of the execution of this document owns at least one lot in the Subdivision, and approved by Potranco Ranch, L.P., "Original Seller" as defined in the Declaration, Owner of at least one Lot as shown on the Master Development Plan, as certified to by the signatures of their representatives below.

Adopted this the 31 day of Oct, 2013.

320 POTRANCO RANCH, L.L.C.,
a Texas limited liability company

By: 
Harry Hausman, Its Manager

APPROVED:

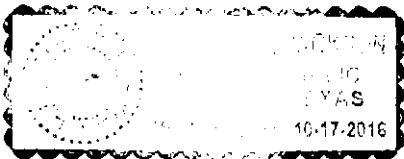
POTRANCO RANCH, L.P.,
a Texas limited partnership, acting by and through
320 Management, L.L.C., its general partner

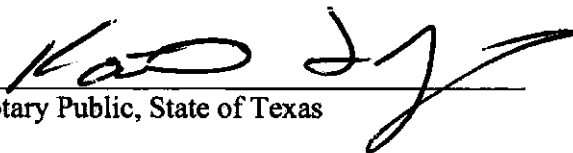
By: 
James A. Trautmann, Its Manager

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

Before me, the undersigned notary public, on this day personally appeared Harry Hausman, acting on behalf of 320 Potranco Ranch, L.L.C., known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 31 day of Oct, 2013.

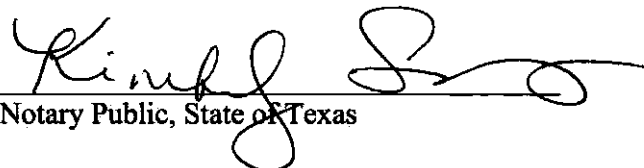



Notary Public, State of Texas

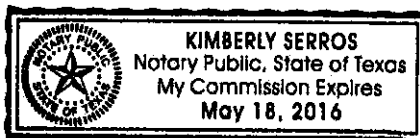
STATE OF TEXAS §
 §
COUNTY OF WEBB §

Before me, the undersigned notary public, on this day personally appeared James A. Trautmann, acting on behalf of Potranco Ranch, L.P., known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 31st day of October, 2013.


Notary Public, State of Texas

AFTER RECORDING RETURN TO:
320 Potranco Ranch, L.L.C.
c/o Diamond Association Management
6391 DeZavala, Suite 223D
San Antonio, Texas 78249



5847001/1126664v1A

FILED AND RECORDED

Instrument Number: 2013008295

Filing and Recording Date: 11/18/2013 03:04:03 PM Pages: 5 Recording Fee: \$28.00

I hereby certify that this instrument was FILED on the date and time stamped hereon
and RECORDED in the PUBLIC RECORDS of Medina County, Texas.



A handwritten signature in black ink, reading "Lisa J. Wernette".

Lisa J Wernette, County Clerk
Medina County, Texas

Filed By The system user