

07-05744

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FIRST AMENDMENT TO THE SECOND RESTATEMENT

GF#: 25078

OF

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

OF

LONG CREEK SUBDIVISION

STATE OF TEXAS §
COUNTY OF GUADALUPE §

The Second Restatement of Declaration of Covenants, Conditions and Restrictions of Long Creek Subdivision division is recorded in Volume 2047, Page 521, Official Public Records of Guadalupe County, Texas ("Declaration");

Article XVI of the Declaration specifically authorizes Declarant, GOLF ASSOCIATES, LTD., to amend the Declaration for any reason, without the necessity of joinder by any other Owner of Lots, or any interest therein, for so long as Declarant still owns property described therein;

Declarant, desires to change certain provisions of the Declaration pursuant to the authorization set forth in Article XVI of the Declaration;

To effect this purpose, the following amendments are hereby made, and all terms used herein shall have the same definition as set forth in the Declaration:

A. The text of Article VIII, Easements and Access, Paragraph (C) Easements To Serve Additional Property is deleted in its entirety and is replaced with the following.

(C) Easements To Serve Additional Property.

The Declarant hereby reserves for itself and its duly authorized agents, representatives, employees, successors, assigns, licensees and mortgagees, an easement over the Common Area for the purposes of enjoyment, use, access, and development of additional property as Declarant may own now or in the future, regardless of whether or not such additional property is ever made subject to the Declaration (or to any of the covenants, conditions, restrictions, terms or provisions of the Declaration) by annexation or otherwise. This easement includes, but is not limited to, a right of ingress and egress over the Common Area for constructing of the roads and for

connecting and installing utilities on such property, including but not limited to Long Creek Blvd.

B. The following is added to the Declarations:

ARTICLE VII: GOLF COURSE

(G) The Golf Course is not subject to the covenants, conditions and restrictions. To the extent it was ever subject to the covenants, conditions and restrictions set forth herein, it is disannexed from such covenants, conditions and restrictions and is no longer subject thereto.

C. The text of Article VIII, Easements and Access, Paragraph (D) Easements for Golf Course (1) is deleted in its entirety and replaced with the following:


(D) Easements for Golf Course

(1) The owner of the Golf Course, its agents, successors, successors in title, and assigns, and the members of the Golf Course shall at all times have rights of non-exclusive easement of access and use over Long Creek Blvd and all portions of the Common Area reasonably necessary to the operation, maintenance, repair, replacement and enjoyment of the Golf Course, including, but not limited to, ingress and egress and utilities.

DECLARANT

GOLF ASSOCIATES, LTD.
A, Texas Limited Partnership

BY: The L.M. Warner Co., L.L.C.
General Partner

BY: 

L.M. WARNER
Duly Authorized Representative

STATE OF ARIZONA
COUNTY OF MARICOPA

This instrument was acknowledged before me on the 28 day of February, 2007, by L.M. Warner, as the duly authorized representative of The L.M. Warner Co., L.L.C., General Partner of GOLF ASSOCIATES, LTD., a Texas Limited Partnership, on behalf of said partnership.



Kathleen Livingston
Notary Public, State of Arizona

FILED FOR RECORD

2007 MAR 20 AM 9:12

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY Sandra Helter

STATE OF TEXAS
COUNTY OF GUADALUPE
I certify this instrument was FILED on the
date and at the time stamped thereon and
was duly recorded in the Official Public
Records of Guadalupe County, Texas.



Teresa Kiel
TERESA KIEL
Guadalupe County Clerk