

Handwritten initials, possibly "M".

AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
AUSTIN OAKS

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

TARRANT COUNTY TEXAS
SEP 31 1991
BY [Signature]

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR AUSTIN OAKS (the "Amendment") is made to be effective
as of the date set forth herein below, by AUSTOAK, INC., a Texas corporation (the
"Declarant").

RECITALS:

WHEREAS, by Declaration of Covenants, Conditions and Restrictions for Austin
Oaks, dated December 12, 1990 and recorded in Volume 10127, Page 0317 of the Real
Property Records of Tarrant County, Texas, as amended by Amendment to Declaration of
Covenants, Conditions and Restrictions for Austin Oaks, dated August 1, 1991 and recorded
under Clerk's File No. D191161653 in the Real Property Records of Tarrant County, Texas
(the "Declaration"), Declarant placed certain covenants, conditions and restrictions upon that
certain real property (the "Property") known as AUSTIN OAKS, an Addition to the City of
Grapevine, in Tarrant County, Texas, according to map or plat thereof recorded in Cabinet
A, Hanger 408 of the Map or Plat Records of Tarrant County, Texas, and being more fully
described on Exhibit "A" attached hereto and incorporated herein by reference for all
purposes; and

WHEREAS, by inadvertent technical error or omission, the Declaration failed to
include the definition of the term "Declarant Control Date" in Article I of the Declaration;
and

WHEREAS, pursuant to Section 13.06 of the Declaration, Declarant is granted the
authority and right to execute and amend the Declaration without the consent or approval
of any party if the sole purpose of the Amendment is to correct technical errors or for
purposes of clarification; and

NOW, THEREFORE, for and in consideration of the foregoing premises, other good
and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,
and solely for the purpose of correcting a technical error contained in the Declaration,
Declarant hereby amends the Declaration as follows:

0-1-91
0-2-91
0-3-91
0-4-91
0-5-91
0-6-91
0-7-91
0-8-91
0-9-91



TRUE AND CORRECT COPY OF
ORIGINAL RECORD FILED IN
TARRANT COUNTY, TEXAS
MARY LOUISE NICHOLSON, COUNTY CLERK

10996 1606

0
1
0
9
4
9
0
0
1
6
0
7

1. Article I of the Declaration shall be amended and modified to incorporate the following defined term:

Section 1.18. "Declarant Control Date" shall mean the first to occur of the following: the date on which Declarant no longer owns any Lots within the Property; the date which is ten (10) years following the date of recordation of this Declaration; or the date on which Declarant in its sole discretion elects to terminate its rights hereunder as evidenced by written notice recorded by Declarant in the Real Property Records of Tarrant County, Texas.

2. Except as amended hereby, all terms and conditions of the Declaration are and remain in full force and effect as therein written.

3. Capitalized terms which are used herein but not defined shall have the same meaning given to such terms in the Declaration.

EXECUTED this 16th day of December, 1992 to be effective as of December 12, 1990.

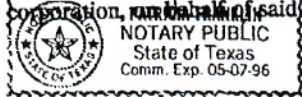
DECLARANT

AUSTOAK, INC.,
a Texas corporation

By: [Signature]
Name: JOSEPH WREY
Title: VICE-PRESIDENT

THE STATE OF TEXAS §
 §
COUNTY OF Dallas §

This instrument was acknowledged before me on the 18th day of December, 1992, by Joseph Wrey, Vice President of AUSTOAK, INC., a Texas corporation, ~~and~~ in ~~and~~ for said corporation.



My Commission Expires:
5/7/96

[Signature]
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

Patricia Franklin
(Printed Name of Notary)



TRUE AND CORRECT COPY OF
ORIGINAL RECORD FILED IN
TARRANT COUNTY, TEXAS
MARY LOUISE NICHOLSON, COUNTY CLERK

10898 1607

LIENHOLDER'S SUBORDINATION

The undersigned lienholder joins herein solely for the purpose of subordinating the following described liens held by it of record to the covenants, conditions and restrictions hereby imposed by the Declarant, with, however, the stipulation that such subordination does not extend to any lien or charge imposed by or provided for in this Amendment:

That certain Deed of Trust (with Security Agreement and Assignment of Rents and Leases) dated August 9, 1990, executed by AustOak, Inc., a Texas corporation, to First Texas Service Corp., Trustee, recorded in Volume 10011, Page 1702 in the Real Property Records of Tarrant County, Texas, securing the payment of a promissory note, dated of even date therewith and described in said Deed of Trust.

EXECUTED effective as of the 23 day of December, 1992.

LIENHOLDER:

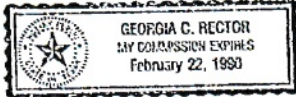
FIRST GIBRALTAR BANK, F.S.B.,
a federal savings bank

By: *David J. Owens*
Its: VICE PRESIDENT

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

NOTARIAL PUBLIC IN AND FOR THE STATE OF TEXAS

This instrument was acknowledged before me on the 23rd day of December, 1992, by David J. Owens, Vice PRES. of FIRST GIBRALTAR BANK, F.S.B., a federal savings bank, on behalf of said bank.



Georgia C. Rector
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

My Commission Expires:

2-22-96

Georgia C. Rector
(Printed Name of Notary)



TRUE AND CORRECT COPY OF
ORIGINAL RECORD FILED IN
TARRANT COUNTY, TEXAS
MARY LOUISE NICHOLSON, COUNTY CLERK

10890 1608

0
1
0
0
0
0
0
1
6
0
0
0

EXHIBIT "A"

BEGINNING at a 5/8 inch iron rod found at the Northwest corner of said AUSTOAK tract, said point being the Northwest corner of said Thomas Easter Survey, the Southwest corner of the J.L. Whitman Survey, Abstract No. 1593 and being in the East line of the S. Freeman Survey, Abstract No. 535;

THENCE South 89°18'01" East along the North line of said AUSTOAK tract and the South line of the Reinforest Addition, an addition to the City of Southlake recorded in Volume 388-165, Page 48, Plat Records, Tarrant County, Texas, a distance of 602.95 feet to a 5/8 inch iron rod found for corner, said point being the Southeast corner of said Reinforest Addition and the Southwest corner of a tract of land conveyed to John W. Simons by deed recorded in Volume 3258, Page 679, Deed Records, Tarrant County, Texas;

THENCE South 81°07'15" East continuing along the North line of said AUSTOAK tract, along the South line of said Simons tract, and along the South line of Winding Creek Estates, an addition to the City of Grapevine recorded in Volume 388-191, Page 35, Plat Records, Tarrant County, Texas, a distance of 397.62 feet to a 5/8 inch iron rod found for corner;

THENCE South 85°19'05" East continuing along the North line of said AUSTOAK tract and along the South line of said Winding Creek Estates, a distance of 304.58 feet to a 1/2 inch iron rod found for corner, said point being in the South line of Winding Creek Estates, Section 1, an addition to the City of Grapevine recorded in Volume 368-191, Page 35, Plat Records, Tarrant County, Texas;

THENCE South 01°55'59" West along the East line of said AUSTOAK tract and the West line of The Woodlake Apartments, an addition to the City of Grapevine as recorded in Volume 388-156, Page 44, Plat Records, Tarrant County, Texas, a distance of 235.67 feet to a 1/2 inch iron rod found for corner;

THENCE South 00°24'15" West along the East line of said AUSTOAK tract and the West line of said The Woodlake Apartments, a distance of 349.71 feet to a 1/2 inch iron rod found for corner; point being the Northwest corner of a tract of land conveyed to W. Gary Blankenship, by deed recorded in Volume 9380, page 416, Deed Records, Tarrant County, Texas;

THENCE South 00°19'14" West along the East line of said AUSTOAK tract and the West line of said Blankenship tract a distance 224.84 feet to a 1/2 inch iron rod found for corner, said point being the Southeast corner of said Blankenship tract and the Northwest corner of The Woodlake Apartments Phase II, an addition to the City of Grapevine recorded in Volume 388-160, Page 85, Plat Records, Tarrant County, Texas;

THENCE South 00°35'33" West along the East line of said AUSTOAK tract and the West line of said The Woodlake Apartments Phase II, a distance of 418.78 feet to a 1/2 inch iron rod found for corner; said point being in the most northerly North line of a tract of land conveyed to Fred W. Branan and Charles L. Branan by deed recorded in Volume 8175, Page 1981, Deed Records, Tarrant County, Texas;

THENCE North 88°49'03" West along a Southerly line of said AUSTOAK tract and the North line of said Branan tract, a distance of 157.70 feet to a 1/2 inch iron rod found for corner;

THENCE South 09°24'30" West along an Easterly line of said AUSTOAK tract and a Westerly line of said Branan tract, a distance of 221.76 feet to a 3/8 inch iron rod found for corner;

THENCE North 29°14'19" West along a Southerly line of said AUSTOAK tract and the Southerly most North line of said Branan tract, 450.78 feet to a 3/4 inch iron rod found for corner; point being the Northwest corner of said Branan tract and the Northeast corner of a tract of land conveyed to 168 Venture No. 3 by deed as recorded in Volume 7859, Page 1476, Deed Records, Tarrant County, Texas;

THENCE North 88°09'24" West in part along a Southerly line of said AUSTOAK tract and the North line of said 168 Venture No. 3 tract, a distance of 874.38 feet to a 1/2 inch iron rod found in the West line of said AUSTOAK tract, point being in the East line of a tract of land conveyed to V.L. Graham by deed recorded in Volume 1765, Page 314, Deed Records, Tarrant County, Texas;

THENCE North 81°08'33" East along the West line of said AUSTOAK tract, along the East line of said V.L. Graham tract, and along the East lines of those tracts of land conveyed to Delbert L. Smith by deeds recorded in Volume 6889, Pages 1582 and 1890, Deed Records, Tarrant County, Texas, a distance of 1101.22 feet to a 1/4 inch iron rod found for corner, said point being the Southeast corner of a tract of land conveyed to Robert L. Marston by deed recorded in Volume 4127, Page 644, Deed Records, Tarrant County, Texas;

THENCE North 00°31'03" East along the West line of said AUSTOAK tract and the East line of said Marston tract, a distance of 351.32 feet to THE POINT OF BEGINNING and containing 39.91 acres of land, more or less.



TRUE AND CORRECT COPY OF
ORIGINAL RECORD FILED IN
TARRANT COUNTY, TEXAS
MARY LOUISE NICHOLSON, COUNTY CLERK

10898 1609

D192253525
GEARY PORTER & WEST
16475 DALLAS PKWY #550
DALLAS, TX 75248

-WARNING-THIS IS PART OF THE OFFICIAL RECORD--DO NOT DESTROY

FILED -- TARRANT COUNTY TEXAS
SUZANNE HENDERSON -- COUNTY CLERK
OFFICIAL RECEIPT

T O: GEARY PORTER & WEST

RECEIPT NO REGISTER PRINTED DATE TIME
193081415 DR93 12/31/92 11:53

INSTRUMENT FEED FILED TIME
1 D192253525 WD 921231 11:53 CK 1676

T O T A L : DOCUMENTS: 01 F E E S: 12.00

B Y: _____

ANY PROVISION WHICH RESTRICTS THE SALE RENTAL OR USE
OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE
IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.



A CERTIFIED COPY,

ATTEST: Mary Lou, 20 22
MARY LOUISE NICHOLSON, County Clerk
Tarrant County, Texas

BY: [Signature] Deputy

10893 1610