

02462 0156

VOL. PG.

① 284

FIRST AMENDMENT
TO
AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
GARDEN VALLEY RANCH, PHASE I

STATE OF TEXAS

COUNTY OF ELLIS

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KNOW ALL MEN BY THESE PRESENTS:

THIS FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GARDEN VALLEY RANCH, PHASE I (this "Second Amendment") is made this 14 day of July, 2009, by GARDEN VALLEY RANCH, HOMEOWNERS ASSN. INC., a Texas non-profit corporation (hereinafter referred to as the "Association") and BETHANY/GARDEN VALLEY, LTD., a Texas limited liability company (hereinafter referred to as the "Declarant").

WITNESSETH:

WHEREAS, Declarant adopted that certain Declaration of Covenants, Conditions and Restrictions for Garden Valley Ranch, Phase I (the "Original Declaration") for Garden Valley Ranch (herein so called) made and effective as of the 23rd day of March, 2005, and recorded in Volume 02110, Page 2355 of the real property records of Ellis County, Texas; and

WHEREAS, Declarant amended and restated the Original Declaration by the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Garden Valley Ranch, Phase I (the "Restated Declaration"), dated the 12th of August, 2005, and recorded the 15th of August, 2005, and recorded in Volume 02149, Page 2477 of the real property records of Ellis County, Texas; and

WHEREAS, Article Eight of the Restated Declaration, in the Section entitled "Duration and Amendments," provides that the Declaration may be amended by an instrument signed by not less than seventy-five percent (75%) of the Owners; and

WHEREAS, Owners representing at least 75 percent (75%) of the total Owner votes have signed and consented to the following amendment to the Declaration.

A CERTIFIED COPY

Attest: March 31, 2014
Cindy Polley, County Clerk
Ellis County, Texas

By Sue Rogers Deputy

FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO. 091557 FILING DATE/TIME: Jul 17, 2009 at 04:15:00 PM

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Article Eight, General Provisions, is amended by adding the following section:

Annexation

Declarant is authorized from time to time, without the consent of any other person or entity, to annex all or a portion of the property commonly known as Garden Valley Ranch, Phase II, consisting of sixty-four (64) lots, and up to an additional one hundred (100) lots in one or more additional phases, into the Properties and within the jurisdiction of the Association. Any such annexation shall specifically describe and identify which portions of the annexed property are Lots and which portions are Common Areas, and shall require owners within such property to be members of the Association. Any annexation to this Declaration other than by Declarant shall require an amendment to the Declaration which complies with the requirements to amend this Declaration as set forth in Article Eight of the Restated Declaration, in the Section entitled "Duration and Amendments." Any annexation authorized by this Section shall be made by recording a Supplementary Declaration of Covenants, Conditions and Restrictions with respect to the annexed property which shall extend the provisions of this Declaration to such property, provided that such Supplementary Declaration may include additional provisions or amend the provisions of this Declaration as necessary or appropriate to extend the general plan and scheme of development as evidenced by this Declaration to the annexed property. Nothing herein shall be construed as to require the Declarant to annex any property into the Association.

Except as modified herein, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, a duly authorized officer of the Association has executed this First Amendment as of the date first written above.

GARDEN VALLEY RANCH,
HOMEOWNERS ASSN. INC.
a Texas non-profit corporation

By: Clyde L. Harp
Name: CLYDE L. HARP
Title: PRESIDENT

IN WITNESS WHEREOF, the undersigned being the Declarant herein, has executed

A CERTIFIED COPY
Attest: March 31, 2014
Cindy Polley, County Clerk
Ellis County, Texas
By: Lee B. Basso Deputy

this First Amendment as of the date first written above.

BETHANY/GARDEN VALLEY, LTD.
a Texas limited liability company

By:

Clyde L. Hargrove
Clyde L. Hargrove, Manager

ACKNOWLEDGEMENT

STATE OF TEXAS

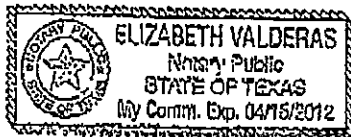
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COUNTY OF ELLIS

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The foregoing instrument was acknowledged before me this 14th day of July, 2009, by Clyde L. Hargrove, President of Garden Valley Ranch, Homesteaders Assn, Inc., a Texas non-profit corporation.



Elizabeth Valderas
Notary Public

My Commission Expires: 4/15/2012

ACKNOWLEDGEMENT

STATE OF TEXAS

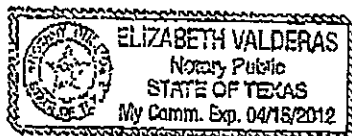
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COUNTY OF ELLIS

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The foregoing instrument was acknowledged before me this 14th day of July, 2009, by Clyde L. Hargrove, Manager of Bethany/Garden Valley, Ltd., a Texas limited liability company.



Elizabeth Valderas
Notary Public

My Commission Expires: 4/15/2012

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AFTER RECORDING, RETURN TO:

Riddle & Williams, P.C.
3710 Rawlins Street, Suite 1400
Dallas, Texas 75219

FARWBWPGDEC.AMDGARDEN VALLEY RANCH FIRST AMENDMENT TO AMENDED DEC

FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION
GARDEN VALLEY RANCH

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A CERTIFIED COPY

Attest: March 31 2014
Cindy Polley, County Clerk
Ellis County, Texas

By: Lee Beza Deputy

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FILED FOR RECORD - ELLIS COUNTY, TEXAS

FILE NO. 025657

on Jul 17, 2009 at 04:15:00 PM

[illegible]

COUNTY CLERK, ELLIS COUNTY, TEXAS

A CERTIFIED COPY

Attest: March 31
Cindy Palley, County Clerk
Ellis County, Texas.

By Lee B. B. B. Deputy