

SCANNED

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
THE RESERVE AT SONOMA VERDE SUBDIVISION  
BEXAR COUNTY, TEXAS**

STATE OF TEXAS :  
:  
COUNTY OF BEXAR :



This FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE RESERVE AT SONOMA VERDE SUBDIVISION is made this 17th day of September, 2009, by The Reserve at Sonoma Verde Joint Venture (herein referred to as "Declarant"):

WITNESSETH:



**Whereas**, Declarant created a residential community on that certain real property located in Bexar County, Texas, which is known as The Reserve at Sonoma Verde Subdivision and described in the plat filed of record at Volume 9594, Pages 83-90, Deed and Plat Records, Bexar County, Texas.

**Whereas**, to effectuate the creation of a residential community, the Declaration of Covenants, Conditions and Restrictions for The Reserve at Sonoma Verde ("Declaration") was filed in Volume 13627, Page 736, Official Public Records of Real Property, Bexar County, Texas;

**Whereas**, Declarant reserved unto itself the right to alter or amend the Declaration as more particularly set forth in Section 5.2.3 of the Declaration;

**Whereas**, the Declarant desires to modify Section 4.3.6, Section 4.3.7 and Section 4.4.6 of the Declaration;

**Now, therefore**, Declarant hereby modifies the Declaration as follows:

1. Section 4.3.6 of the Declaration is deleted and the following Section 4.3.6 is substituted in its place:

**4.3.6 Driveways.** All driveways and sidewalks shall be surfaced with concrete (pebble finish or salt finish) within the area of a Lot which is 75 feet in depth measured from the back of the street curb where the driveway begins. No asphalt driveways are permitted

within the area of a Lot which is 75 feet in depth measured from the back of the street curb where the driveway begins but the ACC may approve asphalt driveways within the area of a Lot which is beyond the 75 feet in depth measured from the back of the street curb where the driveway begins.

2. Section 4.3.7 of the Declaration is deleted and the following Section 4.3.7 is substituted in its place:

**Section 4.3.7. Fences.** The design, construction, materials and specifications of fences shall be subject to the prior consent of the Architectural Control Committee. The Architectural Control Committee may, in its discretion, prohibit the construction of any proposed fence, or specify the materials of which any proposed fence must be constructed, or require that any proposed fence be partially screened by vegetation. Fence maintenance shall be the responsibility of the Owner and all damage shall be repaired within thirty (30) days of written notification by the Association. It shall be a violation of this Declaration to maintain a fence in such a manner as to allow (i) any portion of a fence to lean so that the fence's axis is more than ten (10) degrees out of vertical alignment, (ii) missing, loose, or damaged stone or wood rails in the fence, (iii) symbols, writings, and other graffiti on the fence, and (iv) broken or loose wires. All Fences shall not exceed 6' in height. Chain link fences are specifically prohibited.

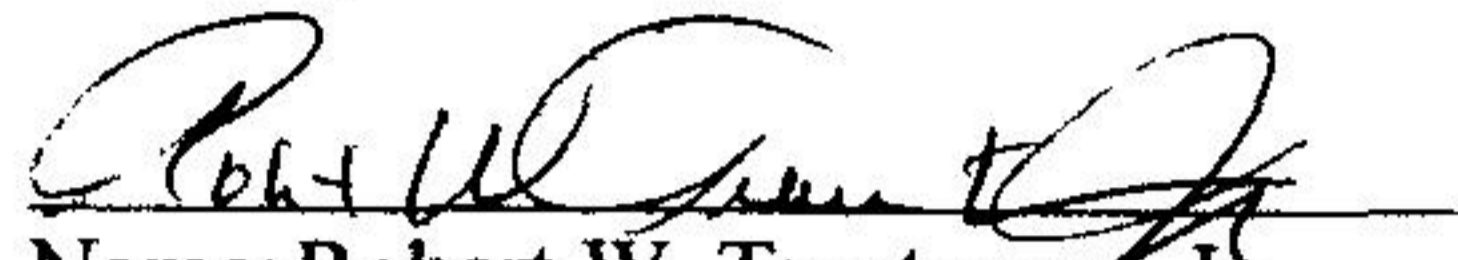
3. Section 4.4.6. of the Declaration is deleted and the following Section 4.4.6 is substituted in its place:

**Section 4.4.6. Size of Dwelling.** The total floor area of the primary structure of any Living Unit constructed on an Estate Lot shall not be less than Three Thousand (3000) square feet, if one-story, and Three Thousand Four Hundred (3,400) square feet if more than one-story. The total floor area of the primary structure of any Living Unit constructed on an Executive Lot shall not be less than Two Thousand Six Hundred (2,600), if one story, and Three Thousand (3,000) square feet if more than one story. Total floor area shall be exclusive of open porches, breezeways, carports, garages and other outbuildings. The minimum size of a Living Unit may be waived by the ACC on an individual case if in its opinion and sole discretion, such waiver is advisable in order to accommodate a unique building concept, and the resulting structure will not detract from the general appearance of the neighborhood. Detached garages or other outbuildings will not exceed one thousand five hundred square feet.

4. The Declaration, except as expressly modified and amended herein, remains in full force and effect and is hereby ratified and confirmed.


**In Witness Whereof**, Declarant has executed this First Amendment to Declaration of Covenants, Conditions and Restrictions for the Reserve at Sonoma Verde Subdivision on the date first written above.

The Reserve at Sonoma Verde Joint Venture, a Texas general partnership

By:   
Name: Robert W. Trautmann, Jr.  
Title: Managing Venturer

STATE OF TEXAS       §  
                                  §  
COUNTY OF BEXAR   §

This instrument was acknowledged before me on the 18 day of September, 2009, by **ROBERT W. TRAUTMANN, JR.**, as Managing Venturer of The Reserve at Sonoma Verde Joint Venture, a Texas general partnership on behalf of said partnership.

  
Notary Public, State of Texas



After Recording Return To:  
Ronald W. Hagauer  
Law Office of Ronald W. Hagauer  
1602 N. Loop 1604 W., Suite LL-102  
San Antonio, Texas 78248

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

Doc# 20090184365 Fees: \$24.00  
09/21/2009 11:49AM # Pages 3  
Filed & Recorded in the Official Public  
Records of BEXAR COUNTY  
GERARD RICKHOFF COUNTY CLERK

SEP 21 2009

  
COUNTY CLERK BEXAR COUNTY, TEXAS