

AMENDMENT NO. ONE

TO

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONSTHE FALLS, SECTION ONE AND TWO

STATE OF TEXAS §
 COUNTY OF COLORADO §

This Amendment No. One, to the Declaration of Covenants, Conditions and Restrictions of THE FALLS, Section One and Section Two, made on the date hereinafter set forth by THE TEXAS FALLS CORPORATION, a Texas corporation, (hereinafter called "TFC"), and THE FALLS OWNERS ASSOCIATION, INC., a non-profit Texas corporation, (hereinafter called the "Association").

W I T N E S S E T H:

WHEREAS, the Colorado Oaks Enterprises, Inc., a Texas corporation, as the Declarant, filed a certain Declaration of Covenants, Conditions and Restrictions for The Falls, Section One and Section Two, recorded in Volume 492, Pages 181-199 of the Deed Records of Colorado County, Texas, (hereinafter called "Original Declaration") to which Original Declaration and the recordation thereof, reference is hereby made for all purposes; and

WHEREAS, The Texas Falls Corporation, a Texas corporation is the successor-in-interest to the Declarant and is the present owner of more than two-hundred (200) Lots in The Falls, Section One and Section Two; and

WHEREAS, Article IV, Section Two of the Original Declaration designated B. Jay Riviere, Carl Gulley and Darlene Riviere as members of the Architectural Control Committee; and

WHEREAS, B. Jay Riviere, Carl Gulley and Darlene Riviere have tendered their written resignation as members of the Architectural Control Committee; and

WHEREAS, TFC and the Association, desire to amend the Original Declaration so as to re-establish an Architectural Control Committee.

NOW, THEREFORE, for and in consideration of the mutual benefits to be gained by the performance hereof, The Texas Falls Corporation, a Texas corporation and The Falls Owners Association, Inc., a Texas non-profit corporation, which was established pursuant to the Original Declaration and which The Falls Owners Association, Inc. was responsible for overseeing the recreation, health, safety and welfare of the residents and Owners of Lots in The Falls, Section One and Section Two, do hereby amend the Original Declaration as follows;

- 1. Article IV, Section Two of the Original Declaration is hereby amended to add thereto the following:

"After March 1, 1995, the Architectural Control Committee members shall be composed of:

Dave C. Swalm, John T. Shelton and Claude E. Manning who by majority may designate a representative to act for them. Address for the Architectural Control Committee after March 1, 1995, is: 1001 North Falls Drive, New Ulm, Texas 78950."

- 2. Except as herein amended, all other terms and provisions of the Original Declaration, shall remain in full force and effect;
- 3. In event of any conflict between the Original Declaration and this Amendment No. One the terms and provisions of this Amendment No. One shall govern and control.

EXECUTED, this the 28th day of February 1995.

ATTEST:

LaNell Cooke
LaNell Cooke

THE TEXAS FALLS CORPORATION

By: Dave C. Swalm
Dave C. Swalm, Chairman of the Board

ATTEST:

LaNell Cooke
LaNell Cooke

THE FALLS OWNERS ASSOCIATION, INC.

By: John T. Shelton Jr.
John T. Shelton, President