

Hays County
Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2011 11029626

Instrument Number: 2011-11029626

As

Recorded On: December 21, 2011

OPR RECORDINGS

Parties: WIMBERLEY SPRINGS PARTNERS LTD

To

Billable Pages: 14

Number of Pages: 15

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

OPR RECORDINGS	68.00
Total Recording:	68.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2011-11029626
Receipt Number: 291827
Recorded Date/Time: December 21, 2011 09:20:33A
Book-Vol/Pg: BK-OPR VL-4246 PG-454
User / Station: P Hernandez - Cashiering #3

Record and Return To:

WINTON
31 WEST VALLEY SPRING
WIMBERLEY TX 78676



State of Texas |
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez
Liz Q Gonzalez, County CLerk

**SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR WIMBERLEY SPRINGS
(ANNEXATION OF WIMBERLEY SPRINGS NEIGHBORHOOD 22
FORMERLY WOODCREEK, SECTION 22)**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "**Supplemental Declaration**") is made this 21st day of December 2011, by Wimberley Springs Partners, Ltd., a Texas limited partnership (the "**Declarant**").

Recitals

A. On December 21, 2006, Declarant filed that certain Declaration of Covenants, Conditions and Restrictions for Wimberley Springs recorded as Document No. 06038534 in Volume 3076, Page 41 of the Official Public Records of Hays County (the "**Declaration**");

B. Declarant desires to subject the real property described in **Exhibit "A"**, which is attached hereto and incorporated herein by this reference (the "**Additional Property**") to the Declaration pursuant to Article IX, Section 9.1 of the Declaration.

C. The Additional Property was formerly known as Woodcreek, Section Twenty Two (22) and was subject to deed restrictions dated July 6, 1977 and recorded in Volume 298, Page 71 of the Deed Records of Hays County, Texas, and as amended by the restrictions recorded in Document No. 80028405, Volume 3487, Page 708 of the Official Public Records of Hays County, Texas (as amended, the "**Original Restrictions**").

D. Article IX of the Original Restrictions provides that the Original Restrictions may be amended immediately at any time on a vote of the owners of two-thirds of the lots in Woodcreek, Section 22 following a recommendation by the Architectural Control Authority of Section 22. Article II, Section 2.b of the Original Restrictions provides that each lot owner will be entitled to one vote for each whole lot owned by that owner.

E. Pursuant to the terms of Article II, Section 2 of the Original Restrictions, the authority of the Architectural Control Authority has vested in the Woodcreek Property Owners Association. By agreement dated December 11, 2008, the Woodcreek Property Owners Association agreed to approve the Declaration and this Supplemental Declaration for Section 22.

F. The owners of at least two-thirds of the lots in the Additional Property, after a recommendation by the Woodcreek Property Owners Association as the Architectural Control Authority of Section 22, desire to amend the Original Restrictions in Accordance with Article IX of the Original Restrictions and to have the amendments take effect on the recording of this Supplemental Declaration.

G. By a vote conducted on November 21, 2011, the owners of two-thirds of the lots in the Additional Property, following a recommendation by the Woodcreek Property Owners Association as the Architectural Control Authority of Section 22, voted to amend the Original

Restrictions by restating the Original Restrictions in their entirety with the Declaration and this Supplemental Declaration.

H. Pursuant to Article IX of the Original Restrictions, the provisions of the Declaration and this Supplemental Declaration will apply to the Additional Property on and after the date of the recording of this Supplemental Declaration (the "**Recording Date**"). Following the Recording Date, the Original Restrictions shall no longer apply to the Additional Property.

I. RDMS Family Partners, Ltd. ("**RDMS**") was the prior Developer of the Additional Property. By Assignment dated April 23, 2001, RDMS assigned its rights as developer under the Original Restrictions to Wimberley Quicksand Partners, Ltd. By instrument filed with the Texas Secretary of State on October 12, 2005, Wimberley Quicksand Partners, Ltd. changed its name to Wimberley Springs Partners, Ltd, which is the Declarant. Declarant has recommended the adoption of this Supplemental Declaration as an amendment to the Original Restrictions.

J. This Supplemental Declaration has been duly approved as an amendment to the Original Restrictions.

Declaration

NOW THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby subjects the Additional Property to the provisions of the Declaration, and adds the Additional Property to the Properties subject to the Declaration. The Additional Property shall be forever held, transferred, used, owned, conveyed, occupied and mortgaged or otherwise encumbered pursuant to the provisions of this Supplemental Declaration and the Declaration, both of which shall run with the title to such property and shall be binding upon all persons having any right, title or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title and assigns. The provisions of this Supplemental Declaration shall be binding upon the Wimberley Springs Community Association, Inc., in accordance with the terms of the Declaration.

Article I. Definitions

The definitions provided in Article II of the Declaration are incorporated herein by reference.

Article II. Withdrawal of Property

The Declarant reserves the right to amend this Supplemental Declaration unilaterally at any time as long as it has the right to annex additional property to the Declaration pursuant to Article IX thereof, without prior notice and without the consent of any Person, for the purpose of removing certain portions of the Additional Property of the Properties then owned by the Declarant, its affiliates or the Association from the coverage of the Supplemental Declaration and the Declaration, to the extent originally included in error or as a result of any changes in the

