

**CORRECTED SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR WIMBERLEY SPRINGS
(ANNEXATION OF WIMBERLEY SPRINGS NEIGHBORHOOD 11)
FORMERLY WOODCREEK, SECTION 11**

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Samantha Ireland, Deputy
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THIS CORRECTED SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this 21st day of June 2012, by Wimberley Springs Partners, Ltd., a Texas limited partnership (the “**Declarant**”) in place of and as an instrument clarifying that certain Supplemental Declaration of Covenants, Conditions and Restrictions for Wimberley Springs (Annexation of Wimberley Springs Neighborhood 11) as Document No. 12010898 of the Hays County Real Property Records (the “**Original Supplemental Declaration**”), wherein in Recital “F” the election was recited to have occurred on March 28, 2012 when it is more accurate to state that it began in mid-March 2012 when residents of Section 11 began to distribute ballots door to door, it included invitations to and a meeting of residents on March 24, 2012 and notices of the vote that were mailed on or about March 27 and 28, 2012. The first ballot was received on or about March 19, 2008, the last ballot was received on or about April 12, 2012 and the voting period was held open until on or about April 30, 2012. This Corrected Supplemental Declaration is made to clarify and elaborate how the election took place and further clarify other matters reflected in Recital “F”. In all other respects, the Original Supplemental Declaration is hereby confirmed and ratified .

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 X, Paragraph 10.1 of the Declaration.
- C. The Additional Property was formerly known as Woodcreek, Section Eleven (11) and was subject to deed restrictions dated July 23, 1973 and recorded in Book 260, Page 550 of the Deed Records of Hays County, Texas (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 Eleven (11) following a recommendation by the Architectural Control Authority of Woodcreek, Section Eleven (11). Article II, Section 2b of the Original Restrictions further provides that each lot owner will be entitled to one vote for each lot owned by that owner, except that, in the case of a building site formed by the joining of two or more lots, the lot owner will be entitled to one vote for each whole lot contained within such building site.
- E. The owners of two-thirds of lots in the Additional Property 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.

F. Notices of the election were mailed on or about March 27 and 28, 2012 following an invitation to and meeting of residents on March 24, 2012 as well as the door to door distribution of ballots and other information to residents of Section 11. The voting was open during a period at least thirty (30) days long, with the first ballot received on or about March 19, 2008, the last ballot received on or about April 12, 2012 and the voting period held open until April 30, 2012. By such vote, the owners of two-thirds of the lots in the Additional Property voted to amend the Original Restrictions by restating the Original Restrictions in their entirety with the Declaration and this Supplemental Declaration. The owners of 65 Lots voted "yes" and the owners of 5 Lots voted "no." The Woodcreek Property Owners Association as the Architectural Control Authority of Woodcreek, Section Eleven (11) has agreed to not object to, and to recommend the approval of, the Supplemental Declaration, pursuant to an agreement with Declarant dated December 11, 2008.

G. 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 the Original Supplemental Declaration (the "**Recording Date**"). Following the Recording Date, the Original Restrictions shall no longer apply to the Additional Property.

H. 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.

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.

