



BAT-1543264-Jo

After recording return to:

Gardendale Terrace, LLC
c/o Kathy Cross
2577 Sycamore Glen Dr #2
Sparks, ND 58434

FIRST AMENDMENT TO RESTRICTIVE COVENANTS
FOR

GARDENDALE TERRACE, AN ADDITION TO THE CITY OF GARDENDALE, ECTOR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET B, PAGE 120-B OF THE PLAT RECORDS OF ECTOR COUNTY, TEXAS.

This First Amendment to Restrictive Covenants (the "**Amendment**") is made this 24th day of September, 2015, by Gardendale Terrace, LLC (the "**Developer**").

WITNESSETH

WHEREAS, Developer recorded that certain Restrictive Covenants For GARDENDALE TERRACE, AN ADDITION TO THE CITY OF GARDENDALE, ECTOR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET B, PAGE 120-B OF THE PLAT RECORDS OF ECTOR COUNTY, TEXAS, filed of record in Ector County, Texas on October 29, 2014 as Document No. 2014-00016562 (the "**Declaration**"), with respect to the above referenced property (the "**Subdivision**").

WHEREAS, Section 8.1(a) of the Declaration grants Developer the exclusive authority to amend the terms of the Declaration with respect to the matters addressed in this Amendment until at least seventy-five percent (75%) of the acreage, which has been or will be platted for residential use in the Subdivision has been sold (the "**Developer Control Period**").

WHEREAS, as of the date of this Amendment, the Developer Control Period has not expired.

NOW THEREFORE, the Declaration is amended as follows:

- A. Section 2.2 of the Declaration is deleted in its entirety and replaced with the following:

No building shall be erected on any residential Lot except one single-family dwelling and outbuildings incidental to and used in connection with the one single-family dwelling. An "outbuilding" shall be defined to include a garage, game room, equine stable, workshop and other buildings necessary for the convenience and pleasure of the occupants of the single-family dwelling erected on the Lot. All such

buildings shall be of a design aesthetically compatible with that of the residence erected on the Lot. Outbuildings shall not include any manner of portable building.

- B. Section 2.9 of the Declaration is deleted in its entirety.
- C. Section 2.22 of the Declaration is deleted in its entirety and replaced with the following:

No animals of any kind shall be raised, bred, or kept on any Lot except dogs, cats, horses, or similar domesticated animals provided that they are not kept, bred, or maintained for any commercial purpose.

- D. Severability. The provisions of this Amendment are severable and the invalidity of one or more of the provisions (or any portions thereof) shall not affect the validity or enforceability of any other provisions (or portions thereof).
- E. Effect of Amendment. Except as modified by this Amendment, the Declaration shall remain in full force and effect.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned has executed this Amendment to be effective as of the date first set forth above.

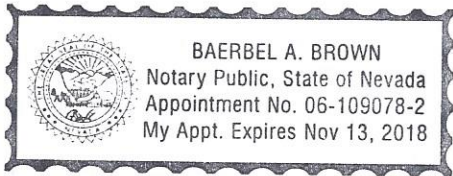
GARDENDALE TERRACE, LLC

By: *Kathy Cross*
Name: KATHY CROSS
Title: PRESIDENT

STATE OF NEVADA }
COUNTY OF WASHTO }

This instrument was acknowledged before me on the 24th day of SEPT., 2015, by KATHY CROSS, n/a of Gardendale Terrace, LLC, on behalf of said limited liability company, for the purposes therein stated.

Baerbel A. Brown
Notary Public, State of NEVADA
My commission expires: NOV 13, 2018





STATE OF TEXAS
COUNTY OF ECTOR

I hereby certify that this instrument was filed on 10/05/2015 at
01:47 PM by me and was duly recorded under the document number
2015-00015103 in the Official Public Records of Ector County, Texas.

A handwritten signature in cursive script that reads "Linda Haney".

Linda Haney, County Clerk
Ector County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF
THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER
FEDERAL LAW AND IS UNENFORCEABLE.

Returned To: BASIN ABSTRACT & TITLE
4625 E UNIVERSITY #2A
ODESSA, TX 79762