

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
THOUSAND OAKS SUBDIVISION**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THOUSAND OAKS SUBDIVISION (“*First Amendment*”), is made and effective on the date set forth herein by THOUSAND OAKS DEVELOPMENT, LLC, a Florida limited liability company (“*Declarant*”).

RECITALS

WHEREAS, on or about June _____, 2016, Declarant caused to be executed a DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THOUSAND OAKS SUBDIVISION (“*Declaration*”) and said executed Declaration was recorded under Instrument No. _____ in the Official Public Records of Williamson County, Texas.

WHEREAS, the Declaration provides that the Declaration may be amended, modified, or repealed at any time by a vote of sixty-seven percent (67%) of the Owners in the Thousand Oaks Owners Association, Inc., a Texas nonprofit corporation (“*Association*”), at a meeting in accordance with the Bylaws of said Association.

WHEREAS, Declarant holds record legal title to a fee simple interest in all of the Property in the Subdivision, as more fully described in the attached and herein incorporated **EXHIBIT A**, SAVE AND EXCEPT the existing house and tract of land more fully described in the attached **EXHIBIT B** (“*Lot 24*”).

WHEREAS, 20/20-Acquisitions, LLC, a Texas limited liability company (“*20/20*”), owns a fee simple interest in Lot 24.

WHEREAS, 20/20 and Declarant have entered into that certain Agreement to Subdivision and Development of Property and Property Owners Association dated on or about June 13, 2016 (“*Agreement*”), by which 20/20 has agreed to adopt the Association’s governing documents and Dedicatory Instruments, as defined in the Declaration, and to comply with the covenants, conditions, and restrictions set forth in said Dedicatory Instruments.

WHEREAS, 20/20 and Declarant in the aforementioned Agreement agreed that the existing house on Lot 24 will be deemed grandfathered or otherwise exempt from the covenants, conditions, and restrictions imposed in the Dedicatory Instruments and that such existing house need not be modified in accordance with the provisions of said Dedicatory Instruments.

WHEREAS, 20/20 also agreed in the aforementioned Agreement that, upon notice, 20/20 would modify any other existing structures on Lot 24 and any and all activities or uses occurring on Lot 24, so that such structures and activities or uses conform to the restrictions imposed by the Dedicator Instruments within 60 days of receipt of notice of the nonconformity.

WHEREAS, 20/20 also agreed in the aforementioned Agreement that any new structures constructed, built, or placed on Lot 24 or any substantial modifications to the existing house to which the restrictions apply will be constructed, placed, or modified in conformity with the restrictions imposed by the Dedicatory Instruments after recording and adoption.

WHEREAS, 20/20 and Declarant desire to record notice of their agreement and Declarant desires to record notice of this First Amendment by which the existing house on Lot 24 of the Subdivision is grandfathered and otherwise exempt from the covenants, conditions, and restrictions imposed in the Dedicatory Instruments, except as otherwise set forth herein and in said Agreement.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, the parties agree as follows:

AGREEMENT

1.01 **Amendment to Paragraph 3.02.** Paragraph 3.02 of the Declaration, entitled *Residences and Improvements*, is amended to add an additional Subparagraph i. to provide that the existing house on Lot 24 is deemed grandfathered and otherwise exempt from the restrictions imposed in the Declaration and other Dedicatory Instruments, unless or until any substantial modifications to said existing house are made to which the restrictions apply, in which case such modifications shall be made in conformance with the restrictions imposed by the Dedicatory Instruments.

MISCELLANEOUS

2.01 **Defined Terms.** All defined terms in the Declaration or other Dedicatory Instruments shall have the same meaning herein.

2.02 **Amendment and Ratification.** Except as amended by this First Amendment, the Declaration is ratified and affirmed as written.

2.03 **Binding Effect.** This First Amendment, together with the Declaration represents the entire agreement as to the subject matter hereof. There are no oral agreements. This First Amendment, together with the Declaration, shall be binding upon and inure to the benefit of the Declarant and the Owners, as that term is defined in the Declaration, and their respective heirs, executors, successors, and assigns.

2.04 **Run with Land.** This First Amendment shall be binding on and shall run with the Property, including Lot 24.

IN WITNESS WHEREOF, Declarant has executed this First Amendment to be effective as of the 13th day of June, 2016.

THOUSAND OAKS DEVELOPMENT, LLC.,
a Florida limited liability company

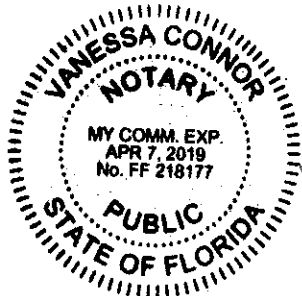
By: Keith Buescher

Name printed: Keith Buescher

Title: MANAGER

THE STATE OF Florida §
 §
COUNTY OF Brevard §

This instrument was acknowledged before me on June 13th, 2016, by (name) Keith Buescher, (title) _____, of THOUSAND OAKS DEVELOPMENT, LLC., a Florida limited liability company, on behalf of said company.



Vanessa Connor
NOTARY PUBLIC, State of Florida

AFTER RECORDING, PLEASE RETURN TO:

EXHIBIT A

PROPERTY DESCRIPTION

OF A 21.57 ACRE TRACT, MORE OR LESS, OUT OF THE M.P. ANDERSON SURVEY NO. 723, ABSTRACT NO. 27, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING OUT OF LOT 22, AND A PORTION OF LOT 21, BLOCK 9, CEDAR PARK RANCHETTES, UNIT THREE, RECORDED IN CABINET B, SLIDE 30, OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, ALSO BEING A PORTION OF TRACT 3, CEDAR PARK RANCHETTES, RECORDED IN CABINET A, SLIDE 393, OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING ALL OF LOTS A AND B, RESUBDIVISION OF A PORTION OF LOT 3, CEDAR PARK RANCHETTES, RECORDED IN CABINET I, SLIDE 155, OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 21.57 ACRE TRACT, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2 INCH IRON ROD SET IN THE SOUTHERLY RIGHT-OF-WAY OF CEDAR PARK DRIVE (50' RIGHT-OF-WAY) BEING THE NORTHEAST CORNER OF THE TRACT DESCRIBED IN THE DEED TO DWAYNE E. WHITMARSH, RECORDED IN DOCUMENT NO. 2005101025, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, ALSO BEING THE NORTHWEST CORNER OF THE TRACT DESCRIBED IN THE DEED TO WHITNEY WALSH, RECORDED IN DOCUMENT NO. 2000020696, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE, N78°24'53"E, ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID CEDAR PARK DRIVE, A DISTANCE OF 190.00 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF SAID WHITNEY WALSH TRACT;

THENCE, S11°32'59"E, DEPARTING SAID RIGHT-OF-WAY, AND ALONG THE WEST LINE OF SAID WHITNEY WALSH TRACT, AT A DISTANCE OF 226.73 FEET PASSING A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF A TRACT DESCRIBED IN THE DEED TO WHITNEY WALSH RECORDED IN DOCUMENT NO. 2000020695 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND CONTINUE IN ALL A DISTANCE OF 737.08 FEET TO A 1/2 INCH IRON ROD FOUND ALONG THE NORTH LINE OF SAID LOT B, RESUBDIVISION OF A PORTION OF LOT 3, CEDAR PARK RANCHETTES;

THENCE, N69°42'18"E, ALONG THE NORTH LINE OF SAID LOT B, AT A DISTANCE OF 80.27 FEET PASSING THE NORTHEAST CORNER OF THE TRACT DESCRIBED IN THE DEED TO WILLIAM B. AND MARILYN AVERY, RECORDED IN DOCUMENT NO. 2005064497, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND CONTINUE IN ALL A DISTANCE OF 297.63 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF SAID WILLIAM B. AND MARILYN AVERY TRACT;

THENCE, S20°43'03"E, ALONG THE EASTERLY LINE OF SAID WILLIAM B. AND MARILYN AVERY TRACT, A DISTANCE OF 997.94 FEET TO THE NORTHERLY RIGHT-OF-WAY OF WEST PARK STREET;

THENCE, S67°07'39"W, ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID WEST PARK STREET, A DISTANCE OF 217.55 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF SAID WILLIAM B. AND MARILYN AVERY TRACT;

THENCE, N20°43'03"W, ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID WEST PARK STREET, A DISTANCE OF 10.00 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF LOT A, RESUBDIVISION OF A PORTION OF LOT 3 CEDAR PARK RANCHETTES, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET I, SLIDE 155 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE, S67°14'53"W, ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID WEST PARK STREET, AT A DISTANCE OF 187.08 FEET PASSING THE SOUTHWEST CORNER OF SAID LOT A, ALSO BEING THE SOUTHEAST CORNER OF LOT B OF SAID RESUBDIVISION OF A PORTION OF TRACT 3, CEDAR PARK RANCHETTES, AND CONTINUE IN ALL A DISTANCE OF 237.09 FEET TO A 1/2 INCH IRON ROD SET IN THE EAST LINE OF THE TRACT DESCRIBED IN THE DEED TO WILLIAM B. AVERY, JR., RECORDED IN DOCUMENT NO. 2005017115 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS FOR THE SOUTHWEST CORNER OF SAID LOT B;

THENCE, S20°43'03"E, ALONG THE EASTERLY LINE OF SAID WILLIAM B. AVERY TRACT AND NORTHERLY RIGHT-OF-WAY OF SAID WEST PARK STREET, A DISTANCE OF 10.00 FEET TO A 1/2 INCH IRON ROD SET IN SAID NORTHERLY RIGHT-OF-WAY, FOR THE SOUTHEAST CORNER OF SAID WILLIAM B. AVERY TRACT;

THENCE, S67°26'14"W, CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID WEST PARK STREET, A DISTANCE OF 149.47 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF SAID WILLIAM B. AVERY, JR. TRACT;

THENCE, DEPARTING THE NORTHERLY RIGHT-OF-WAY OF SAID WEST PARK STREET, WITH THE WEST LINE OF SAID WILLIAM B. AVERY, JR. TRACT, THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

- 1.) N20°58'31"W, A DISTANCE OF 345.80 FEET TO A 1/2 INCH IRON ROD SET;
 - 2.) S69°29'59"W, A DISTANCE OF 125.15 FEET TO A 1/2 INCH IRON ROD SET;
 - 3.) N20°52'55"W, A DISTANCE OF 55.78 FEET TO A 1/2 INCH IRON ROD SET;
 - 4.) N20°41'26"W, A DISTANCE OF 466.17 FEET TO A 1/2 INCH IRON ROD FOUND;
 - 5.) N20°45'56"W, A DISTANCE OF 155.38 FEET TO A 1/2 INCH IRON ROD FOUND
- FOR THE NORTHWEST CORNER OF SAID WILLIAM B. AVERY, JR. TRACT;

THENCE, S67°26'14"W, CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID WEST PARK STREET, A DISTANCE OF 149.47 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF SAID WILLIAM B. AVERY, JR. TRACT;

THENCE, N68°52'59"E, ALONG THE NORTHERLY LINE OF SAID WILLIAM B. AVERY, JR. TRACT, A DISTANCE OF 38.30 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE TRACT DESCRIBED IN THE DEED TO WHITNEY WALSH, RECORDED IN DOCUMENT NO. 2000020694 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE, N11°34'52"W, WITH THE WEST LINE OF SAID THIRD MENTIONED WHITNEY WALSH TRACT, A DISTANCE OF 527.36 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF SAID THIRD MENTIONED WHITNEY WALSH TRACT;

THENCE, N78°27'06"E, WITH THE NORTH LINE OF SAID THIRD MENTIONED WHITNEY WALSH TRACT, A DISTANCE OF 200.25 FEET TO A 1/2 INCH IRON ROD SET IN THE WEST LINE OF SAID SECOND MENTIONED WHITNEY WALSH TRACT FOR THE NORTHEAST CORNER OF SAID THIRD MENTIONED WHITNEY WALSH TRACT;

THENCE, N11°33'16"W, WITH THE WEST LINE OF SAID SECOND MENTIONED WHITNEY WALSH TRACT, AT A DISTANCE OF 41.09 FEET PASSING A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF SAID FIRST MENTIONED WHITNEY WALSH TRACT, AND CONTINUE IN ALL, A DISTANCE OF 270.19 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 21.57 ACRES, MORE OR LESS.

EXHIBIT B

METES AND BOUNDS DESCRIPTION

OF A 0.425 OF AN ACRE TRACT, MORE OR LESS, BEING A PORTION OF LOT B, RESUBDIVISION OF A PORTION OF LOT 3, CEDAR PARK RANCHETTES, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, AS SHOWN UPON THE PLAT RECORDED IN CABINET A, SLIDES 393-394 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS AND A PORTION OF A 5.47 ACRE TRACT DESCRIBED IN THE DEED TO WILLIAM B. AVERY, JR., RECORDED IN DOCUMENT NO. 2005017115 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING OUT OF AND PART OF THE MAHALA P. ANDERSON SURVEY, ABSTRACT NO. 27, A PART OF TRACT 3, CEDAR PARK RANCHETTES, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, AS SHOWN UPON THE PLAT RECORDED IN CABINET I, SLIDE 155 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.425 OF AN ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, AT A 1/2 INCH IRON ROD FOUND (GRID COORDINATES: N=10158963.21, E=3084442.33) IN THE SOUTH RIGHT-OF-WAY OF CEDAR PARK DRIVE (50' RIGHT-OF-WAY) FOR THE NORTHWEST CORNER OF A CALLED 1.00 ACRE TRACT, DESCRIBED IN THE DEED TO WHITNEY WALSH, RECORDED IN DOCUMENT NO. 2000020696 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND NORTHEAST CORNER OF THE TRACT DESCRIBED IN THE DEED TO DWAYNE E. WHITMARSH, RECORDED IN DOCUMENT NO. 2005101025 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE, S 11°45'54" E, THROUGH THE INTERIOR OF SAID WALSH TRACT AND INTO THE INTERIOR OF SAID AVERY TRACT, A DISTANCE OF 942.89 FEET TO A CALCULATED POINT FOR THE PLACE OF BEGINNING (GRID COORDINATES: N=10158040.13, E=3084634.58);

THENCE, N 69°16'35" E, A DISTANCE OF 68.41 FEET TO A CALCULATED POINT;

THENCE, N 19°30'50" E, A DISTANCE OF 48.51 FEET TO A CALCULATED POINT;

THENCE, N 73°16'46" E, A DISTANCE OF 69.93 FEET TO A CALCULATED POINT;

THENCE, S 66°26'07" E, A DISTANCE OF 94.30 FEET TO A CALCULATED POINT;

THENCE, S 20°43'03" E, A DISTANCE OF 12.49 FEET TO A CALCULATED POINT;

THENCE, S 24°19'47" W, A DISTANCE OF 80.64 FEET TO A CALCULATED POINT;

THENCE, S 69°17'00" W, A DISTANCE OF 33.68 FEET TO A CALCULATED POINT;

THENCE, N 65°40'13" W, A DISTANCE OF 89.21 FEET TO A CALCULATED POINT;

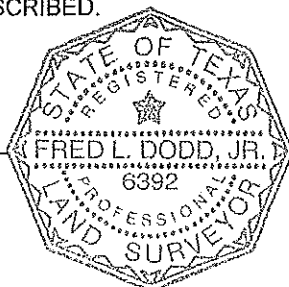
THENCE, S 69°16'35" W, A DISTANCE OF 83.22 FEET TO A CALCULATED POINT;

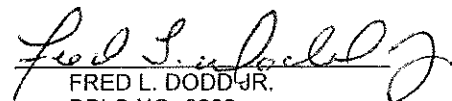
THENCE, N 20°43'25" W, A DISTANCE OF 40.00 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.425 OF AN ACRE, MORE OR LESS.

BEARING BASIS OF THE SURVEY DESCRIBED HEREIN IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 0.999872795 AND CONVERGENCE ANGLE OF 01°17'21.9350".

I, FRED L. DODD JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT ALL CORNERS ARE MARKED AS DESCRIBED.

DATE: 06-08-2016
DODD SURVEYING & MAPPING
PROFESSIONAL SURVEYORS
203 W. MAIN STREET, STE D
PFLUGERVILLE, TX 78660




FRED L. DODD JR.
RPLS NO. 6392
STATE OF TEXAS
FIRM NO. 10193745