

SUPPLEMENT AND AMENDMENT
TO
DECLARATION OF RESERVATIONS
HORSESHOE BAY
COUNTIES OF LLANO AND BURNET, TEXAS

This supplement ("Supplement") to the Declaration of Reservations, Horseshoe Bay, ("Declaration") heretofore made on July 5, 1971, and filed of record in Volume 177, Page 280, of the Records of Llano County, Texas, and in Volume 189, Page 637, of the Records of Burnet County, Texas, provides as follows:

WHEREAS, said Declaration reserves to Declarant therein (Lake Lyndon B. Johnson Improvement Corporation) the right at any time and from time to time to cause or to permit the owners of other land adjoining or in the vicinity of the Horseshoe Bay Subdivision to commit said other land or part thereof to the Declaration, all upon and subject to the terms and conditions of the Declaration; and

WHEREAS, on November 22, 1971, Declarant entered into an agreement ("Agreement") with Kings Land, Inc. ("Assignee"), which Agreement is attached hereto as Exhibit A and hereby made a part hereof, wherein said Assignee did commit the land described in such Agreement to the Declaration; and

WHEREAS, the said Declaration may, in accord with its terms, be amended by an instrument in writing executed and acknowledged by the owners of a majority in interest of the fee title of the subdivision land; and

WHEREAS, Declarant and Assignee are the owners of a majority in interest of the fee title of the subdivision land;

NOW, THEREFORE, for and in consideration of these presents and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, Declarant and Assignee hereby supplement and amend the said Declaration as follows:

A. By the reflection therein of the said Agreement attached hereto as Exhibit A and the entitling of said Declaration as:

"DECLARATION OF RESERVATIONS
HORSESHOE BAY AND HORSEHOE BAY SOUTH
COUNTIES OF LLANO AND BURNET, TEXAS"

B. By the addition thereto of provisions for a district in the subdivision for mobile homes, as follows:

5.7: M-1-MOBILE HOME DISTRICT

The following uses and regulations shall apply in the M-1-Mobile Home District unless otherwise provided in this Declaration, except that Sections 3.2-A.4, 3.3-B.3 and 3.4-C.4 of this Declaration shall not apply to the M-1-Mobile Home District.

(1) Uses Permitted:

- (a) A single-family mobile home dwelling on a lot, except that "double trailers" such as "double tens" and "double twelves" or an expanding unit designed to form one complete dwelling may be placed on a lot.
- (b) A cabana, ramada, patio slab, carport, and a small utility closet not larger than 7'x9', the plans and designs of which shall be subject to the prior written approval of the Committee.
- (c) Maintaining mail address for commercial, professional and business license purposes only, provided no stock in trade, supplies, nuisance producing apparatus or equipment are kept on the premises, and provided that no employees or assistants are engaged for said services on the premises, and except as otherwise provided in the Section, no signs are displayed.
- (d) One (1) professionally made sign per dwelling unit not to exceed one (1) square foot in area containing only the name and title or home occupation of the occupant.
- (e) One (1) professionally made unlighted sign not to exceed four (4) square feet in area advertising the premises for sale, lease or rent, located not nearer than ten (10) feet to adjoining premises, nor nearer than five (5) feet to a street line.

(2) Maximum Mobile Home Height:

One level not to exceed fifteen (15) feet or 2 levels not to exceed twenty-five (25) feet above the highest contour line of applicable lot.

(3) Minimum Yard Requirements:

Except where there is specifically designated on the Subdivision Map, which specification shall control, the following shall apply:

- (a) Front yard setbacks shall conform to a minimum depth of ten (10) feet from the front property line to the closest structural projection, including porches, but not including awnings, overhangs, or planters.
- (b) A side yard setback shall be maintained of at least five (5) feet in depth from all side property lines to the building line of any structure, with a minimum clearance of forty (40) inches from awnings or other projections to the side property line. Corner lots shall maintain a minimum setback of ten (10) feet from the side street line.

- (c) A rear yard shall be maintained of at least fifteen (15) feet from the property line to the nearest building line, excepting fences, walls, and hedges when used as a property or boundary lines separation.

(4) Maximum Area of Dwelling:

Notwithstanding uses permitted herein, no more than fifty percent (50%) of the total lot area shall be used for the mobile home and other structures.

(5) Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee.

(6) Minimum Dwelling Unit Size:

All mobile homes shall require not less than seven hundred (700) square feet of floor area for any single family mobile home including contiguous patios, cabana, ramada, carport or similar structure with a minimum floor area of five hundred (500) square feet for the living area in the dwelling portion of the mobile home.

(7) Approval of Plans:

No mobile home, building, addition, accessory, fence, wall, patio, or other improvement shall be commenced, erected, or maintained, nor shall any addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, floor plans, location, and approximate cost of such structure or improvement have been submitted to and approved in writing by the Committee.

(8) Mobile homes-Size-Plumbing Systems:

No mobile home may be placed on any lot until approved in writing by the Committee as to size, condition and appearance. Said mobile homes must have complete sanitary facilities, including among others a lavatory, toilet, wash basin, tub or shower, kitchen sink, and must be connected to sewage outlets in conformity with state or county health requirements. The plumbing shall conform to the requirements of the Southern Standard Plumbing Code as published by the Southern Building Code Congress, current edition, as a guide to sound plumbing practices.

(9) Tie Down of Mobile Homes:

Each mobile home shall be securely anchored at each corner by a chain of not less than 3/8" to a buried block of concrete anchor weighing not less than 300 pounds or the equivalent thereof.

(10) Garages and Carports:

Garages and carports are not required but may be constructed on a lot with the prior written approval of the Committee.

(11) Spaces Below Mobile Homes-Enclosed:

The space beneath the mobile home must be underpinned with a skirting of matching metal, stone or other such material as may be approved by the Committee of Architecture within 60 days of date of placing the mobile home on its designated lot.

(12) Awnings:

Open and closed awnings shall be permitted, the size, design and placement of which shall be subject to the approval of the Committee.

(13) Mail Boxes:

Mail boxes shall be only of a design approved by, and installed in a location designated by the Committee.

(14) Parking and Automobiles:

(a) No structure on any lot shall be occupied in this District until off-street parking for at least two automobiles has been provided on said lot. These required spaces and the drive thereto shall be surfaced with a permanent all-weather pavement.

(b) No parking shall be allowed on the streets of this District.

(c) No repairing or overhauling of cars or other vehicles is permitted on the lots or on the streets in this District.

C. By amending the last sentence of Section 3.1 (f) to read as follows:

"This subsection shall never be deemed to authorize Declarant to resubdivide and or reclassify any lot or Tract owned by Declarant which is subject to an outstanding Contract for Deed or similar instrument in favor of a third party, unless such resubdivision or reclassification is joined in by such third party."

D. By changing the title of Paragraph A.2 of Section 3.2 to read "Air Conditioning Units and Television Antennae" and adding the following sentence to such paragraph:

"Unconcealed outside television antennae shall be allowed hereunder, unless aesthetically objectionable or not in conformity with the overall development of the subdivision to the satisfaction of the Committee, until such time as cable television is available."

E. By rewording the first paragraph of Section 3.1 (g) to read as follows:

"(g) Declarant hereby reserves a right of way and easement 15 feet wide along each lot line fronting a street, 10 feet wide along each back lot line and 5 feet wide along each side lot line, together with an unobstructed easement above the same for any or all utilities and drainage, including, without limitation, television and or communication cables; provided, that where said utility and drainage easements are shown on the applicable plat if different widths and/or locations, the width and location of such easements on the plat shall be constant."

F. By such rewording Paragraph A.9 of Section 3.2 to read as follows:

"All utilities and utility services on all lots or land shall be installed underground and no above surface utility wires will be installed on any lot or land outside any structure, unless otherwise provided on any Plat or Plats filed of record covering such lot or land. This limitation shall not be applicable to the utilities and utility services of Declarant."

IN WITNESS WHEREOF, Lake Lyndon B. Johnson Improvement Corporation and Kings Land, Inc., have caused their corporate names and seals to be hereunto affixed by their officers thereunto duly authorized, this 14th day of February, 1972.

LAKE LYNDON B. JOHNSON IMPROVEMENT
CORPORATION

By: /s/ Norman C. Hurd
Norman C. Hurd, President

ATTEST:

/s/ Dorothy E. Hurd

KINGS LAND, INC.

By: /s/ Frank Dan King
Frank Dan King, President

ATTEST:

/s/ William K. Lucy