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CLERK

DEPARTMENT OF REVENUE

BY *Jo Miller*

644294

**AMENDMENT ONE TO SUPPLEMENTARY DECLARATION OF  
EASEMENTS, RESTRICTIONS AND COVENANTS FOR PHASE FOUR  
SECTION A OF THE PEBBLE CREEK DEVELOPMENT**

|                                |   |                          |
|--------------------------------|---|--------------------------|
| AMENDMENT ONE TO SUPPLEMENTARY | § | UNITED STATES OF AMERICA |
| DECLARATION OF EASEMENTS,      | § |                          |
| RESTRICTIONS AND COVENANTS FOR | § | COUNTY OF BRAZOS         |
| PHASE FOUR SECTION A OF THE    | § |                          |
| PEBBLE CREEK DEVELOPMENT       | § | STATE OF TEXAS           |

(Patio Home Section)

This amendment ("Amendment") is made effective this, the 24<sup>th</sup> day of November, 1997 by Pebble Creek Development Company, a Texas Corporation (the "Declarant") represented by Vice President, Davis M. Young, whose address is 4500 Pebble Creek Parkway, College Station, Texas 77845.

WHEREAS, on or about the 2nd day of March, 1995, Declarant executed an instrument entitled Supplementary Declaration of Easements, Restrictions and Covenants for Phase Four Section A of the Pebble Creek Development ("Supplementary Declaration"), and such instrument was filed of record in Volume 2306, Page 1, Official Records of Brazos County, Texas; and

WHEREAS, Declarant desires to amend the Supplementary Declaration to add, clarify and amend certain provisions contained in the Supplementary Declaration for the benefit of Phase Four Section A, Pebble Creek Development, a subdivision located in College Station, Brazos County, Texas; and

WHEREAS, certain third parties ("Third Parties") have acquired certain lots in said Phase Four Section A, and the Third Parties have consented to this addition, amendment and/or change to the Supplementary Declaration as same is recorded in Volume 2306, Page 1, Official Records of Brazos County, Texas:

NOW, THEREFORE, the Supplementary Declaration referred to above Amendment One to the Declaration is hereby amended, altered or changed as follows:


1. Section 8 of the Supplementary Declaration entitled "Assessments" is hereby amended by adding a Section 8.3D which shall read as follows:

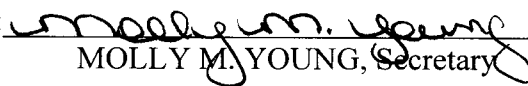
"Notwithstanding any of the language contained in these Supplementary Declarations of Easements, Restrictions and Covenants for Phase Four Section A of the Pebble Creek Development, it is hereby noted that undeveloped lots will be assessed fifty percent (50%) of the monthly maintenance dues being assessed against a ("Developed Lot"). A lot is considered to be a Developed Lot on the first day of the first full calendar month after ninety (90) days has expired from the date a foundation for improvements to be located on such lot was commenced".

2. This amendment does not change or alter the maintenance fees or dues assessed by Pebble Creek Owners Association for all lots in the Pebble Creek Subdivision.
3. All other provisions, terms and conditions of the Supplementary Declaration as recorded in Volume 2306, Page 1, Official Records of Brazos County, Texas, and Amendment One not expressly modified or changed herein shall remain in full force and effect.

Witness our hands this 24<sup>th</sup> day of November, 1997.

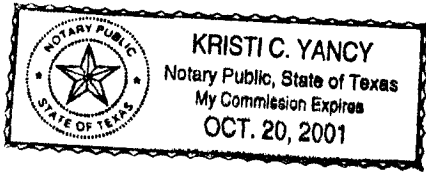
PEBBLE CREEK DEVELOPMENT COMPANY

By:  \_\_\_\_\_  
DAVIS M. YOUNG, Vice President

By:  \_\_\_\_\_  
MOLLY M. YOUNG, Secretary

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

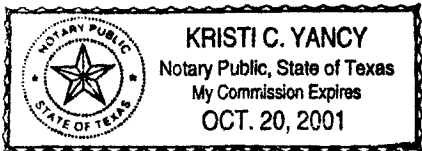
This instrument was acknowledged before me on this the 24<sup>th</sup> day of November, 1997 by DAVIS M. YOUNG, Vice President of Pebble Creek Development Company, a Texas corporation, on behalf of said corporation.



*Kristi C. Yancy*  
Notary Public, State of Texas  
My Commission Expires: 10-20-01

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

This instrument was acknowledged before me on this the 24<sup>th</sup> day of November, 1997 by MOLLY M. YOUNG, Secretary of Pebble Creek Development Company, a Texas corporation, on behalf of said corporation.



*Kristi C. Yancy*  
Notary Public, State of Texas  
My Commission Expires: 10-20-01