

FIRST AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
HILLS OF BANDERA RANCH

WHEREAS, on June 28, 2007 the Declaration of Covenants, Conditions and Restrictions of Hills of Bandera Ranch were executed and recorded in Volume 787, Page 380 and under Document No. 00166798 of the Official Public Records of Bandera County, Texas and also recorded in Volume 682, Page 338 of the Official Public Records of Medina County, Texas (the "Declaration"); and

WHEREAS, on November 5, 2015 the Procedure for Petitioning the Board of Directors to Amend the Covenants was executed and recorded in Volume 1029, Page 126, and under Document No. 00211468 of the Official Public Records of Bandera County, and also recorded under Clerk's File No. 2015007565 of the Official Public Records of Medina County, Texas (the "Procedures"); and

WHEREAS, a petition to amend the Declaration has been made to the Board of Directors of The Hills of Bandera Ranch Property Owners Association to i) remove language allowing the Architectural Control Committee to grant variances for bed and breakfast establishments; and ii) prohibit short term (less than six months) rentals of Tracts; and

WHEREAS, the Declaration provides that the Owners of 75% of the Tracts within the Hills Of Bandera Ranch (a subdivision of Bandera County, Texas and Medina County, Texas, as shown by plat of said subdivision recorded in Volume 7, Pages 10-16 of the Plat Records of Bandera County, Texas, and in Volume 10, Pages 56-62 of the Plat Records of Medina County, Texas) (the "Subdivision") may amend the Declaration. However, Texas law supersedes this requirement (See Texas Property Code Section 209.0041) and provides that the Declaration may be amended "only by a vote of 67 percent of the total votes allocated to the property owners entitled to vote on the amendment of the declaration..." The Declaration provides for one vote per Tract; and

WHEREAS, 67% of the Owners of Hills of Bandera Ranch have agreed, pursuant to written ballots cast at a meeting of the members called in accordance with the requirements of the Declaration, held on January 11, 2020, a copy of which ballots are attached hereto as Annex "1", to amend the Declaration as provided herein; and

WHEREAS, the Procedures provide that any amendment becomes effective when the proposal is voted on and is adopted by 67% of the Owners at an annual meeting of the Owners This amendment shall serve as certification of such vote and approval by the Owners.

2020000668 DECL  
01/24/2020 11:54:56 AM Total Pages: 52 Fee: 226.00  
Gina Chempson: County Clerk - Medina County, TX

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the Declaration is hereby amended as follows:

**1. Article V, Section 1 of the Declaration is hereby amended to read as follows:**

"Section 1. **TYPE OF BUILDING PERMITTED.** One (1) detached single family dwelling residence not to exceed two and one-half (2-1/2) stories in height, together with a private, fully enclosed garage for not less than two (2) nor more than six (6) cars, which garage may include living quarters above or adjacent thereto occupied by an integral part of the family occupying the main residence on the Lot or by servants employed on the Lot; and workshops for the personal use of the Owner and his immediate family.

All mobile homes and manufactured homes are absolutely forbidden to be located on any Lot. Unoccupied recreational vehicles (including horse, camping and hunting trailers, motor homes, tents and other portable camping structures) may be located on a Lot if they are fully enclosed within a structure approved by the Architectural Control Committee, or screened from view."


**2. Article V, Section 14, of the Declaration is hereby added to read as follows:**

"Section 14. **PROHIBITION OF SHORT-TERM RENTALS.** No tract, or portion thereof, or dwelling or other improvement located on a Tract may be leased for a period of less than six (6) months for occupancy by not more than one family unit, or alternatively, by not more than two adult residents. No sub-leasing is allowed."

Except as herein expressly set forth, no other amendments are made to the Declaration, which Declaration is hereby ratified and shall remain in full force and effect in accordance with its terms.

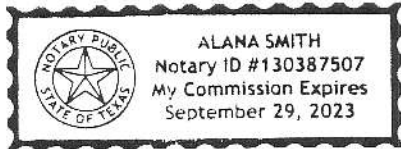
**EXECUTED** to be effective as of the 21<sup>st</sup> day of January, 2020.

**HILLS OF BANDERA RANCH**

By:   
DON WRIGHT, President

STATE OF TEXAS       §  
                                     §  
COUNTY OF BANDERA §

This instrument was acknowledged before me this 21<sup>st</sup> day of January 2020, by DON WRIGHT, as President of HILLS OF BANDERA RANCH PROPERTY OWNERS ASSOCIATION.



Alana Smith  
Notary Public, State of Texas