



**FOURTH AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

**SCANNED**

**FOR  
281 EAST LAND  
SAN ANTONIO, TEXAS**

**STATE OF TEXAS )**



**COUNTY OF DALLAS )**

THIS FOURTH AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR 281 EAST LAND (this "Fourth Amendment") is made as of this 1st day of October, 2009, by 281 CANYON PARTNERS, LTD., a Texas limited partnership ("Declarant").

**WITNESSETH**

WHEREAS, 281 East Homeowners Association was organized pursuant to the Master Declaration of Covenants, Conditions and Restrictions for 281 East Land, San Antonio, Texas, executed November 5, 1999, recorded at Volume 8202, Page 524, Official Public Records of Bexar County;

WHEREAS, the Declaration imposes certain covenants, conditions and restrictions upon that real property described on Exhibit "A" of the Declaration, and all annexations or supplements thereto;

WHEREAS, pursuant to Article IX, Section 9.2 of the Declaration, the Declaration may be amended and/or changed upon the express written consent of Members having at least seventy percent (70%) of the total outstanding votes of the Members of the Association without regard to class; and

WHEREAS, Declarant, by its execution hereof, has consented in writing to the amendment set forth below and holds at least seventy percent (70%) of the total outstanding votes of the Members of the Association.

NOW THEREFORE, Declarant amends the Declaration as hereinafter set forth.

1 Article VI, Section 6.3 of the Declaration is hereby amended to change the date of cessation of the Class B membership. Notwithstanding anything to the contrary contained in Section 6.3, the Class B membership shall cease, and each Class B Member shall become a Class A Member, on the first to occur of (i) the date on which the total number of votes outstanding in the Class A membership is five (5) times greater than the total number of votes outstanding in the Class B membership; or (ii) the last to occur of the date that is the fifteenth (15<sup>th</sup>) anniversary of (x) the date of this Declaration or (y) if so added, the date the Additional Land is added to the coverage of this Declaration.

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed as of the date set forth in the first paragraph of this Fourth Amendment

**DECLARANT:**

281 CANYON PARTNERS, LTD.,  
a Texas limited partnership

By: Thompson Realty Investment Corporation,  
its general partner

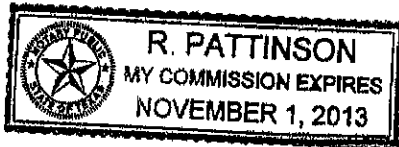
By:

  
W T Field, President

**STATE OF TEXAS**

**COUNTY OF DALLAS**

This instrument was acknowledged before me on the 1st day of October, 2009, by W. I. Field, President of Thompson Realty Investment Corporation, general partner of 281 Canyon Partner, Ltd, a Texas limited partnership, on behalf of such partnership.



  
Notary Public, State of Texas

**AFTER RECORDING PLEASE RETURN TO:**

**ATTN: ROSIE PATTINSON  
THOMPSON REALTY CORPORATION  
1600 N. COLLINS, STE 1500  
RICHARDSON, TX 75080**

**EXHIBIT A**

A 522.6 acres (or 22,765,000 square feet) tract of land out of the Beatty, Seale and Forwood Survey No. 1, Abstract 113, County Block 4926; the Beatty, Seale and Forwood Survey No. 1, Abstract 115, County Block 4935; the B. Staffel Survey No. 4, Abstract 945, County Block 4929; the C.L. Muller Survey No. 385, Abstract 531, County Block 4922; the B. Staffel Survey No. 2, Abstract 946, County Block 4925; and the W.M. Drishin Survey No. 89 1/4, Abstract 54, County Block 4900, said 522.6 acre tract containing 14.85 acres out of a 32.24 acre tract (Tract I) as recorded in Volume 3596, Page 1814; all of the 48.56 acre tract (Tract II) as recorded in Volume 5596, Page 1653; 25.7 acres out of a 474.1 acre tract (Tract III) as recorded in Volume 5596, Page 1692; all of the 381.4 acre tract (Tract IV) as recorded in Volume 5596, Page 1734; and 52.1 acres out of a 137.0 acre tract (Tract V) as recorded in Volume 5596, Page 1775 in the Official Public Records of Real Property of Bexar County, Texas, said 522.6 acres being further described by metes and bounds as follows:

**BEGINNING:** At a found 1/2" iron rod at the easterly southeast corner of the aforementioned 48.56 acre tract (Tract II), on the west right-of-way line of U.S. Highway 281 (a 200-foot right-of-way) for the POINT OF BEGINNING, same being a northeasterly corner of an 108.58 acre tract as recorded in Volume 4453, Pages 315-316 Deed Records of Bexar County, Texas;

**THENCE:** S 82° 12' 49" W, departing the west line of U.S. Highway 281 with the south line of the aforementioned 48.56 acre tract, the north line of said 108.58 acre tract, a distance of 1,483.83 feet to a found 1/2" iron pipe at an angle point;

**THENCE:** S 72° 25' 50" W, a distance of 1,298.05 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at an angle point;

**THENCE:** Departing from the south line of said 48.56 acre tract with the south line of the aforementioned 381.4 acre tract (Tract IV) S 41° 18' 33" W, a distance of 4,140.00 feet to a found 1/2" iron pipe at the northwest corner of said 108.58 acre tract, same being on the northerly line of a San Antonio River Authority easement as recorded in Volume 6486, Pages 892-893 and Volume 5439, Pages 513-523 of the Deed Records of Bexar County, Texas, at an angle point;

**THENCE:** Continuing with the south line of said 381.4 acre tract, crossing said San Antonio River Authority easement, the following calls:

N 53° 44' 28" W, a distance of 563.16 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

S 26° 02' 12" W, a distance of 524.59 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

N 58° 50' 30" W, a distance of 34.15 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

N 25° 08' 33" W, a distance of 448.02 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

N 50° 03' 29" W, a distance of 371.28 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

N 79° 46' 33" W, a distance of 795.33 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

N 63° 28' 32" W, a distance of 232.80 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

- THENCE: Departing the south line of said 381.4 acre tract with the south line of the aforementioned 117.0 acre tract (Tract V) N 64°57'35" W, a distance of 543.68 feet to a 24" diameter Live Oak tree;
- THENCE: Continuing with the south line of said 117.0 acre tract, the following calls:
- N 64°34'46" W, a distance of 48.74 feet to a found 1/2" iron rod, for a northerly corner of Champions Unit 1 Stone Oak, as recorded in Volume 9522, Pages 179-187 of the Deed and Plat Records of Bexar County, Texas;
- N 64°51'01" W, along and with the northerly line of said Champions Unit 1, a distance of 912.57 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at a point of curvature;
- THENCE: Departing the south line of said 117.0 acre tract, crossing into said 117.0 acre tract and departing from the aforementioned northerly line, northeasterly along a curve to the left having a radial bearing of N 65°47'58" W, a radius of 5293.06 feet, a central angle of 12°02'53", an arc length of 1112.49 feet and a chord bearing and distance of N 18°10'43" E, 1110.44 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at a point of tangency;
- THENCE: N 12°09'29" E, a distance of 431.21 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";
- THENCE: N 08°45'57" E, a distance of 832.73 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at an angle point;
- THENCE: N 90°00'00" E, a distance of 856.47 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at a point of curvature;
- THENCE: Northeasterly, along a curve to the left having a radius of 743.60 feet, a central angle of 43°42'39", an arc length of 566.83 feet, and a chord bearing and distance of N 68°08'40" E, 553.19 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at a point of tangency;
- THENCE: N 46°17'31" E, a distance of 717.45 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at a point of curvature;
- THENCE: Northeasterly, along a curve to the right having a radius of 637.00 feet, a central angle of 42°32'37", an arc length of 487.83 feet, and a chord bearing and distance of N 67°33'37" E, 476.70 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at a point of intersection of a non-tangent line;

THENCE:

N 13°35'44" E, a distance of 44.37 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" on the centerline of a proposed 86-foot wide ingress-egress easement as recorded in Volume 5596, Page 1608 of the said Real Property Records, at a point of curvature, said point also being the southwest corner of the aforementioned 474.1 acre tract (Tract III), the northeast corner of said 117.0 acre tract (Tract V) and an angle point of this tract;

THENCE:

Continuing with the centerline of the proposed road and the south line of said 474.1 acre tract, the following call:

Easterly, along a curve to the right having a radial bearing of S 00°14'34" E, a radius of 780.00 feet, a central angle of 03°08'19", an arc length of 38.35 feet and a chord bearing and distance of S 88°40'24" E, 38.34 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at a point of tangency;

S 87°06'15" E, a distance of 1256.30 feet to a found 1/4" iron rod with yellow cap marked "Pape-Dawson" at a point of curvature;

Easterly, along a curve to the left, having a radius of 3000.00 feet, a central angle of 13°32'40", an arc length of 709.32 feet, and a chord bearing and distance of N 86°07'20" E, 707.67 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at a point of tangency;

N 79°20'56" E, a distance of 251.66 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at an angle point;

THENCE:

Departing from the centerline of the proposed road and south line of said 474.1 acre tract and crossing said 474.1 acre tract:

N 84°15'22" E, a distance of 3701.80 feet to a found 1/2" iron rod with yellow cap marked "Pipe-Dawson" at a point on a curve on the west right-of-way line of U.S. Highway 281, said point also being the northeast corner of this 522.6 acre tract, and on the easterly line of said 52.24 acre tract (Tract I):

THENCE:

Southerly, following the west right-of-way line of U.S. Highway 281, along said easterly line and along a curve to the right having a radial bearing of S 81°00'34" W, a radius of 5669.53 feet, a central angle of 06°50'34", an arc length of 677.66 feet and a chord bearing and distance of S 03°33'59" E, 677.26 feet to a found 1/2" iron rod with yellow cap marked "Pipe-Dawson" at a point of curvature, said point also being the northeast corner of the aforementioned 48.56 acre tract (Tract II), and the southeast corner of said Tract I and an angle point of this tract:

THENCE:

Southerly, continuing along the west right-of-way line of U.S. Highway 281, the easterly line of said Tract II, with a curve to the right, having a radius of 5669.53 feet, a central angle of 03°58'32", an arc length of 393.84 feet and a chord bearing and distance of S 00°08'46" E, 394.96 feet to a found 1/2" iron rod at a point of tangency:

THENCE:

S 01°51'00" W, a distance of 180.92 feet to the POINT OF BEGINNING and containing 522.6 acres of land in Bexar County, Texas. The above having been described in accordance with a survey as prepared by Pipe-Dawson Engineers, Inc.

SAVE AND EXCEPT THREE TRACTS

**RECORDER'S MEMORANDUM**  
AT THE TIME OF RECORDATION THIS  
INSTRUMENT WAS FOUND TO BE INADEQUATE  
FOR THE BEST PHOTOGRAPHIC REPRODUCTION  
BECAUSE OF ILLIGIBILITY, CARBON OR  
PHOTO COPY, DISCOLORED PAPER ETC.

*Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law*  
**STATE OF TEXAS, COUNTY OF BEXAR**

I hereby certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

**OCT 14 2009**

Doc# 20090200834 Fees: \$40.00  
10/14/2009 12:09PM # Pages 7  
Filed & Recorded in the Official Public  
Records of BEXAR COUNTY  
GERARD RICKHOFF COUNTY CLERK



*Gerard Rickhoff*  
COUNTY CLERK BEXAR COUNTY, TEXAS