

**FIRST AMENDMENT TO
DECLARATION OF PROTECTIVE COVENANTS
FOR
THE BLUFF AT THE DOMINION PLANNED UNIT DEVELOPMENT**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

**FILED BY
PRESIDIO TITLE**

THIS FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR THE BLUFF AT THE DOMINION PLANNED UNIT DEVELOPMENT (this "*Amendment*") is made this 25 day of May 2017, by GKH Developments, Ltd., a Texas limited partnership ("*Declarant*"), and The Dominion Homeowners Association, Inc., a Texas non-profit corporation (the "*Association*").

RECITALS:

A. Declarant previously recorded that certain Declaration of Protective Covenants for the Bluff at the Dominion Planned Unit Development in Volume 16688, Page 986, as Document #20140084282 in the Real Property Records of Bexar County, Texas ("*Declaration*").

B. All terms appearing herein having their first letter capitalized and not otherwise defined shall have the respective meaning set forth in the Declaration.

C. Pursuant to Article XLIX of the Declaration, the provisions of the Declaration may be amended by written instrument signed by Owners of the legal title to seventy percent (70%) of the Lots within the Subdivision with the written joinder of Declarant and the Association.

D. Declarant holds legal title to greater than seventy percent (70%) of the Lots within the Subdivision.

E. Declarant desires to amend the Declaration in the manner and respects hereinafter set forth and the Association is signing this Amendment to evidence its consent to such amendments.

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Declaration is hereby amended, in accordance with the terms thereof, as follows:

1. Section 5(c) of Article I of the Declaration shall be and is hereby amended by deleting such Section 5(c) in its entirety and replacing it with the following:

"(c) The colors and materials of the roofs in the Villas at the Bluff and in the Estates at the Bluff will be reviewed and approved individually as part of the ACC approval process."

2. Section 1 of Article VIII of the Declaration shall be and is hereby amended by inserting the following sentences at the end of such Section 1:

"Walls on the zero-lot line side of any Dwelling in the Villas at the Bluff may be allowed one or more windows composed of obscure fire rated glass block provided that each of such windows are located at a minimum height of at least 6 feet from the finished floor of such Dwelling. The total area of all such windows shall not exceed fifty square feet (50 sq. ft.)."

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2. Section 1 of Article VIII of the Declaration shall be and is hereby amended by inserting the following sentences at the end of such Section 1:

“Walls on the zero-lot line side of any Dwelling in the Villas at the Bluff may be allowed one or more windows composed of obscure fire rated glass block provided that each of such windows are located at a minimum height of at least 6 feet from the finished floor of such Dwelling. The total area of all such windows shall not exceed fifty square feet (50 sq. ft.).”

3. Article XXVIII of the Declaration shall be and is hereby amended by deleting such Article XXVIII in its entirety and replacing it with the following:

“ARTICLE XXVIII. ROOFS

For Dwellings in the Villas at the Bluff and in the Estates at the Bluff all roof materials for primary and accent roofs shall be comprised of the following materials:

1. Concrete tile (flat or barrel); or
2. Clay tile (flat or barrel); or
3. Standing Seam Metal (provided it is non-reflective and the color is pre-approved by the ACC in writing). Copper metal roofs will be allowed as its reflective quality diminishes quickly.
4. Single ply membrane roofing systems for low slope roofs will be allowed provided that such roof materials are not visible from ground level.

Roof vents shall be as inconspicuous as possible and are discouraged where readily visible from the adjacent street. Skylights are discouraged but if utilized they must be low profile (no bubble) and receive prior written approval of the ACC.

Low slope (visually flat) roofs will be allowed in the Subdivision, provided the architectural quality is enhanced by incorporating such an element. The ACC has the right to reject any roof type or profile that is not detailed to achieve quality architecture.”

4. The introductory clause of Article XXX of the Declaration which reads “Dwelling Setbacks: Except as otherwise set forth in the below table, the following setbacks are required for each Lot:” shall be and is hereby amended by deleting such introductory clause in its entirety and replacing it with the following:

“Dwelling Setbacks: Except as otherwise set forth in the below table or as approved by the ACC (in accordance with the Umbrella Declaration) as a variance from the following requirements, the following setbacks are required for each Lot:”

5. Except as modified hereby, the Declaration shall remain in full force and effect, and, in the event of any inconsistencies between this Amendment and the terms of the Declaration, the terms set forth in this Amendment shall govern and control.

6. This Amendment shall be binding upon and inure to the benefit of Declarant and the Association and their respective successors and assigns.

7. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which, when put together, shall constitute one and the same instrument.

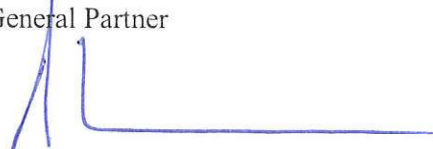
[Signature and Acknowledgement Pages Follow]

IN WITNESS WHEREOF, Declarant and the Association have caused this instrument to be executed and effective as of the date first set forth above.

DECLARANT:

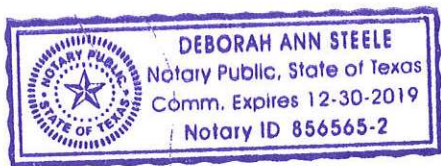
GKH Developments, Ltd., a Texas limited partnership

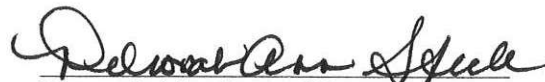
By: GKH Developments GP, LLC, a Texas limited liability company and its General Partner

By: 
Roberto Kenigstein, Manager

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the 25th day of May, 2017, by Roberto Kenigstein, Manager of GKH Developments GP, LLC, a Texas limited liability company, General Partner of GKH Developments, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.




Notary Public, State of Texas

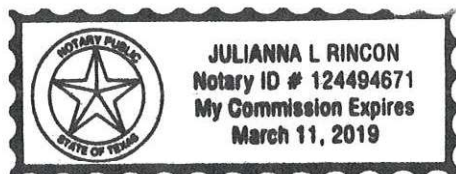
ASSOCIATION:

The Dominion Homeowners Association, Inc., a Texas non-profit corporation

By: 
Name: James D. Berg
Title: CHAIRMAN OF THE BOARD

STATE OF TEXAS §
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COUNTY OF BEXAR §

This instrument was acknowledged before me on the 24 day of May, 2017, by James D. Berg, Chairman of The Dominion Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.




Notary Public, State of Texas

Doc# 20170101432
Pages 4
05/26/2017 3:14PM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees \$34.00

STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
05/26/2017 3:14PM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerard C. Rickhoff