



THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS & RESTRICTIONS

GABRIELS OVERLOOK – SECTION ONE AND TWO

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS

§

COUNTY OF WILLIAMSON

§

RECITALS

452, Ltd., a Texas limited partnership, (hereinafter the "Declarant"), did execute and record (a) that certain Declaration of Covenants, Conditions, Easements and Restrictions dated April 26, 2000, of record as Document No. 2000025866 and (b) that certain Declaration of Covenants, Conditions, Easements and Restrictions dated September 13, 2000, of record as Document No. 2000061650 (collectively, "the Declarations"), (c) that certain First Amendment to Declaration of Covenants, Conditions, Easements and Restrictions, dated January 10, 2001, of record as Document No. 2001003269 (the "First Amendment"), and (d) that certain Second Amendment to Declaration of Covenants, Conditions, Easements and Restrictions, dated June 9, 2004, of record as Document No. 2004048610 (the "Second Amendment"); all documents recorded in the Official Public Records of Williamson County, Texas. This Third Amendment is executed by Declarant pursuant to the request of the Advisory Committee to the Board of Directors of the Gabriels Overlook Property Owners Association and by the President of the Gabriels Overlook Property Owners Association in accordance with Paragraph 4.05 of each of the Declarations. The provisions of this Third Amendment shall, in addition to the Declarations and the First and Second Amendments, apply to and become a part of all legal instruments, whereby title or possession to any Lot in the Subdivision is hereafter conveyed or transferred, run with the land, and be binding upon and inure to the benefit of all parties, now or hereafter, owning or using the above-described property or any portion thereof, their heirs, executors, administrators, successors, and assigns.

AMENDMENT

1. **Above Ground Pools:** One above-ground pool may be placed on any lot within the Subdivision, provided (a) the pool's capacity does not exceed 1,000 gallons; and (b) the pool is screened from the view of any Subdivision street.
2. **Propane Tanks:** Propane tanks having a capacity in excess of 200 gallons must be maintained underground or within an enclosure screening the tank from the view of any Subdivision street or adjoining property.
3. **Composition Roof Shingles:** Composition shingles installed on a new or an existing roof of a residence from and after the date of this Amendment must meet or exceed the specifications of a 30-year dimensional composition shingle.
4. **Plan Application Fee:** Each application submitted by an owner or contractor to the Architectural Control Committee for approval of construction plans and specifications for a residence will be accompanied by a plan review fee of \$300.00 made payable to the Gabriels Overlook Property Owners Association. The plan Review Fee will be deposited in the Road Maintenance Fund for the Subdivision. The Board of Directors of the Gabriels Overlook Property Owners Association is

hereby authorized to increase the plan review fee by not more than five percent (5%) for any one-year period.

- 5. **Fence Height:** Privacy or architectural fences shall not be constructed within the Subdivision unless and until the Architectural Control Committee has reviewed and approved the plans and specifications for such fencing. In no event will fences be constructed greater than eight (8) feet in height.
- 6. **Effect:** All terms and provisions of the Declarations and the First and Second Amendments, except as specifically amended hereby, shall remain in full force and effect.

IN WITNESS WHEREOF 452, LTD. has caused this document to be executed by its duly authorized officer this 3 day of OCTOBER, 2005.

452, LTD., a Texas limited partnership
By: COTTONWOOD ENTERPRISES, INC.,
a Texas corporation, General Partner

By: Rex D. Bohls
REX D. BOHLS, President

Douglas D. Lewis
DOUGLAS D. LEWIS, President of Gabriels
Overlook Property Owners Association

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me this 3 day of OCTOBER, 2005, by REX D. BOHLS, President of COTTONWOOD ENTERPRISES, INC., a Texas corporation, on behalf of said corporation, as General Partner of 452, LTD., a Texas limited partnership.



Stephanie Perkins
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me this 3 day of OCTOBER, 2005, by DOUGLAS D. LEWIS, President of Gabriels Overlook Property Owners Association, on behalf of said Association.



Stephanie Perkins
NOTARY PUBLIC, STATE OF TEXAS

Gabriel's Overlook Advisory Committee Members:

Bonnie Patton

Bonnie Patton

Dean Mitchell

Dean Mitchell

Beverly West

Beverly West

Jon Aronson

Jon Aronson

David VanNoy

David VanNoy
dv

Unofficial Document

Acknowledgment

STATE OF Texas

COUNTY OF Williamson

This instrument was acknowledged before me this 3rd day of November, 2005, by Bonnie Patton.



Marianne Merritt
Notary Public, State of _____

Acknowledgment

STATE OF Texas

COUNTY OF Williamson

This instrument was acknowledged before me this 2nd day of November, 2005, by Dean Mitchell.



Marianne Merritt
Notary Public, State of _____

Acknowledgment

STATE OF Texas

COUNTY OF Williamson

This instrument was acknowledged before me this 8 day of November, 2005, by Beverly West.



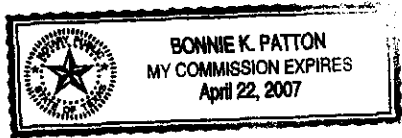
Bonnie K. Patton
Notary Public, State of _____

Acknowledgment

STATE OF Texas

COUNTY OF Williamson

This instrument was acknowledged before me this 4th day of November, 2005, by Jon Aronson.



Bonnie K. Patton
Notary Public, State of _____

Acknowledgment

STATE OF Texas

COUNTY OF Williamson

This instrument was acknowledged before me this 5th day of November, 2005, by David Van Noy.



Bonnie K. Patton
Notary Public, State of _____

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS 2005092203

Nancy E. Rister

11/18/2005 02:13 PM

MARY \$32.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

② Gabriels Overlook
1301 S. IH 35 Ste 200
Austin TX 78741-1169