

ATC-STONE OAK

**AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR ROSEHEART SUBDIVISION UNIT 3
PLANNED UNIT DEVELOPMENT**

THE STATE OF TEXAS §
 § KNOW ALL BY THESE PRESENTS:
THE COUNTY OF BEXAR §

Whereas, Declarant of the Declaration of Covenants, Conditions and Restrictions for Roseheart Subdivision Unit 3 Planned Unit Development (herein, the "Declaration") caused the Declaration to be filed and recorded in the Real Property Records of Bexar County, Texas at Volume 12097, Page 411 with respect to the real property (herein, the "Subdivision") described on a plat recorded at Volume 9568, Pages 121-123, Deed and Plat Records, Bexar County, Texas;

Whereas, Article III, Section 3 of the Declaration permits the Declarant to amend the Declaration without the joinder of any other owners of lots within the Subdivision for the limited purposes of correcting a clerical error, clarifying an ambiguity or removing any contradiction in the terms of the Declaration;

Whereas, Article VIII, Section 4 of the Declaration referred to certain pedestrian easements, one existing on each of Lot 31, Block 4 and Lot 27, Block 5, both within the Subdivision;

Whereas, Article VIII, Section 4 of the Declaration refers to an Exhibit A attached thereto with respect to the above mentioned Lot 31 and to an Exhibit B attached thereto with respect to the above mentioned Lot 27; and,

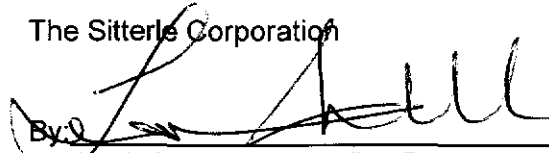
Whereas, by clerical error or clerical omission, the Declaration was caused to be recorded without having attached to it the above described Exhibit A and Exhibit B.

Therefore, Declarant desires to correct the clerical error or clerical omission by amending the Declaration only to the extent of including Exhibit A and Exhibit B. By execution and recordation of this instrument, the Declaration is amended to include Exhibit A and Exhibit B, both of which are attached hereto and incorporated herein by reference, and each such Exhibit consisting of two (2) pages.

Except as specifically amended by this instrument, the Declaration is confirmed, ratified and remains unchanged.

Executed by Declarant this 28 day of February, 2007.

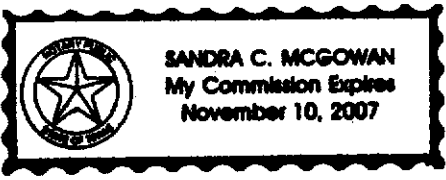
The Sitterle Corporation

By: 

Louis M. Norrell, its Vice President

THE STATE OF TEXAS §
 §
THE COUNTY OF BEXAR §

This instrument was acknowledged before me on the 28th day of February, 2007, by Louis M. Norrell, Vice President of The Sitterle Corporation, a Texas corporation, on behalf thereof.



Sandra C. McGowan
Notary Public, State of Texas
Printed Name & Commission Expiry:

After Recording, Return To:

The Sitterle Corporation
2015 Evans Road, Suite 100
San Antonio, Texas 78258



FIELD NOTES
FOR
LOT 27, BLOCK 5
Pedestrian Easement

Being a 0.003 acre tract of land out of the John Fridge Survey No. 9, Abstract No. 235, County Block 4920, in Bexar County, Texas; said 0.003 acres of land being out of Lot 27, Block 5 of the Roseheart Subdivision Unit 3 shown on the plat recorded in Volume 9568, Pages 121-123 of the Deed and Plat records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" rebar with Denham-Ramones Engineering plastic cap at the northwest corner of the above mentioned Lot 27 at an angle point in the southerly lines of Lot 33 (Greenbelt);

THENCE N 45°49'31" E, with the common line of Lot 27 and Lot 33, for a distance of 16.05 feet to a point;

THENCE S 07°16'54" W through the interior of Lot 27 for a distance of 25.10 feet to a point on the southwest line of said lot;

THENCE N 31°15'42" W with the common line of Lot 27 and Lot 28 for a distance of 16.05 feet to the POINT OF BEGINNING, and containing 0.003 acres of land, more or less.

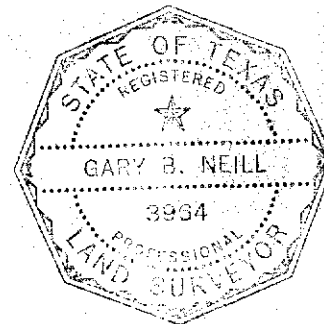
- Bearings source is the rear line of Lot 27 between two found ½" rebar with Denham-Ramones Engineering plastic caps shown as N 45°49'31" E on the plat of the Roseheart Subdivision Unit 3 recorded in Volume 9568, Pages 121-123 of the Deed and Plat Records of Bexar County, Texas.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of "Denham-Ramones Engineering and Associates, Inc."

Date: *December 23, 2005*

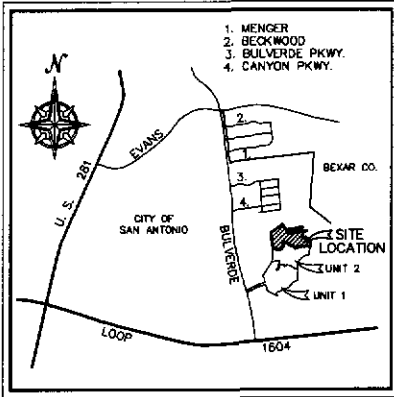
Gary B. Neill

Gary B. Neill
R.P.L.S. #3964

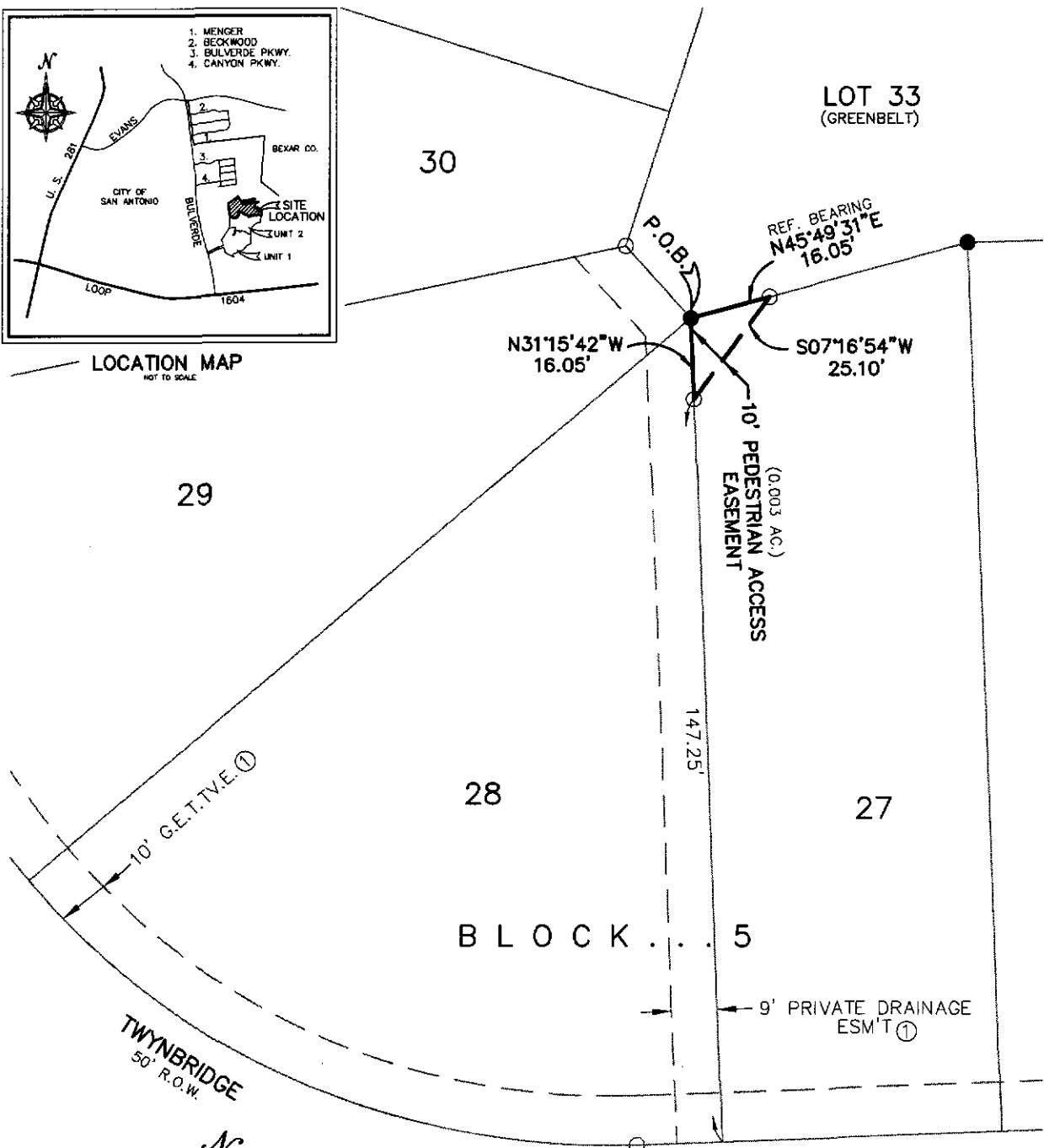


Warning: Only those copies with the Signature and Seal in red should be relied upon.

EXHIBIT B



LOCATION MAP
NOT TO SCALE

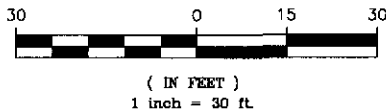


① ROSEHEART SUBDIVISION UNIT 3
(VOL 9568, PGS. 121-123, D.P.R.)
JOHN FRIDGE SURVEY NO. 9
ABSTRACT NO. 235, CB 4920
BEXAR COUNTY, TEXAS

LEGEND

MONUMENT AS SHOWN.

- PROPERTY CORNER
- DENOTES A FOUND 1/2" REBAR AS DESCRIBED, UNLESS NOTED OTHERWISE.



040064.00



**Denham-Ramones Engineering
and Associates, Inc.**

12981 Park Central, Suite 1390
San Antonio, Tx. 78216

(210) 495-3100 Office
(210) 495-3122 Fax

EXHIBIT FOR
10' PEDESTRIAN ACCESS EASEMENT
ACROSS LOT 27, BLOCK 5
ROSEHEART UNIT 3

EXHIBIT B



FIELD NOTES
FOR
LOT 31, BLOCK 4
Pedestrian Easement

Being a 0.005 acre tract of land out of the John Fridge Survey No. 9, Abstract No. 235, County Block 4920, in Bexar County, Texas; said 0.005 acres of land being out of Lot 31, Block 4 of the Roseheart Subdivision Unit 3 shown on the plat recorded in Volume 9568, Pages 121-123 of the Deed and Plat records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" rebar with Denham-Ramones Engineering plastic cap at the southernmost corner of the above mentioned Lot 31 on a northeast line of Lot 44 (Greenbelt);

THENCE N 79°47'23" W, with the common line of Lot 31 and Lot 44, for a distance of 10.23 feet to a point;

THENCE N 22°23'11" E through the interior of Lot 31 for a distance of 27.32 feet to a point on the northeast line of said lot;

THENCE S 31°15'42" E with the common line of Lot 31 and Lot 30 for a distance of 12.42 feet to a point on the northwest line of Lot 29;

THENCE S 22°23'11" W with the common line of Lot 31 and Lot 29 for a distance of 17.81 feet to the POINT OF BEGINNING, and containing 0.005 acres of land, more or less.

- Bearings source is the rear line of Lot 31 between two found ½" rebar with Denham-Ramones Engineering plastic caps shown as N 22°23'11" E on the plat of the Roseheart Subdivision Unit 3 recorded in Volume 9568, Pages 121-123 of the Deed and Plat Records of Bexar County, Texas.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of "Denham-Ramones Engineering and Associates, Inc."

Date: *December 23, 2005*

Gary B. Neill

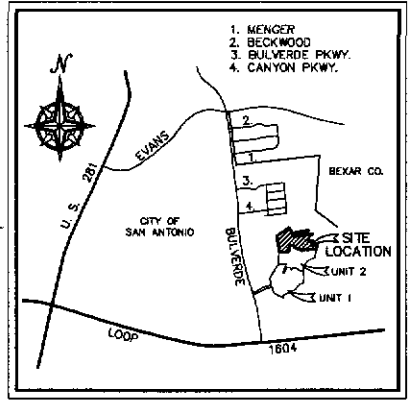
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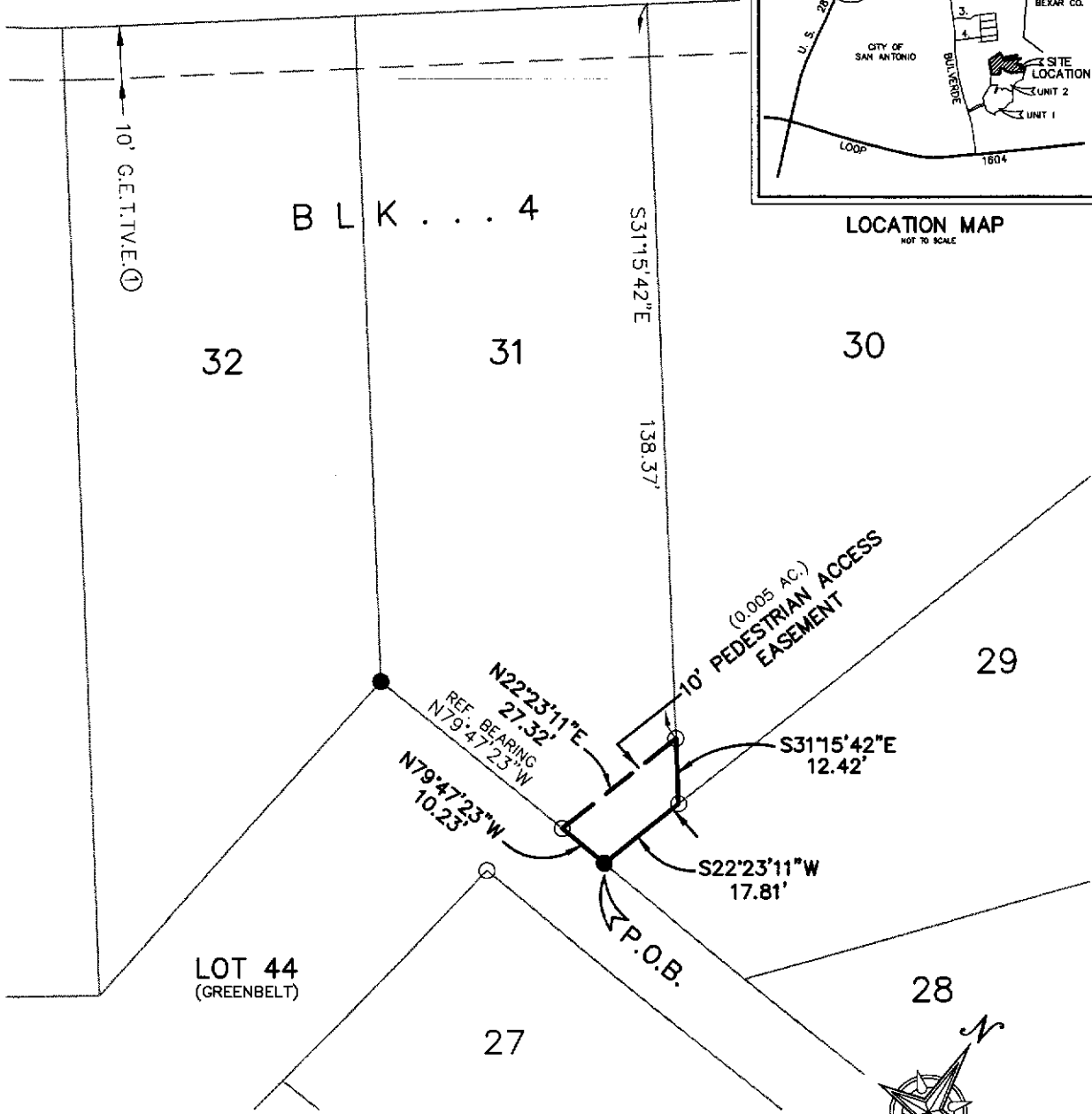
Warning: Only those copies with the Signature and Seal in red should be relied upon.

EXHIBIT A

TWYNBRIDGE
50' R.O.W.



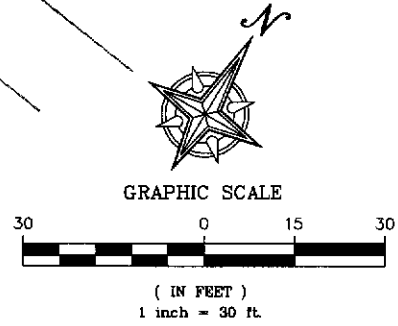
LOCATION MAP
NOT TO SCALE



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(VOL. 9568, PGS. 121-123, D.P.R.)
JOHN FRIDGE SURVEY NO. 9
ABSTRACT NO. 235, CB 4920
BEXAR COUNTY, TEXAS

LEGEND

- MONUMENT AS SHOWN.
- PROPERTY CORNER
- DENOTES A FOUND 1/2" REBAR AS DESCRIBED, UNLESS NOTED OTHERWISE.



040064.00

R **Denham-Ramones Engineering**
and Associates, Inc.

12961 Park Central, Suite 1390
San Antonio, Tx. 78216

(210) 485-3100 Office
(210) 485-3122 Fax

EXHIBIT FOR
10' PEDESTRIAN ACCESS EASEMENT
ACROSS LOT 31, BLOCK 4
ROSEHEART UNIT 3

EXHIBIT A

Doc# 20070048421
Pages 7
02/28/2007 18:32:20 PM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERRY RICKHOFF COUNTY CLERK

Fees 36.00

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.
02/28/2007 18:32:20 PM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerry Rickhoff