

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF  
MOUNTAIN SPRINGS RANCH PROPERTY OWNERS ASSOCIATION, INC.,  
COMAL COUNTY, TEXAS**



STATE OF TEXAS §  
  §  
COUNTY OF COMAL §

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on or about January 29, 2004, MOUNTAIN SPRINGS RANCH PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation, through its predecessor and assignor (hereafter, "the Declarant"), caused to be filed of record at Document No. 200406003365 of the Real Property Records of Comal County, Texas, an instrument containing various covenants, conditions, restrictions, reciprocal negative easements and equitable servitudes (hereinafter, the "Declaration") applicable to the property or subdivision known as MOUNTAIN SPRINGS RANCH (hereafter, "the Property", or "Mountain Springs Ranch Subdivision").

WHEREAS, Declarant caused to be filed in the Real Property Records of Comal County the following supplemental restrictions filed at the following Document Number (hereafter, collectively, "the Restrictions"):

- 1. Mountain Springs Ranch, Unit One, at Document No. 200406003366
- 2. Mountain Springs Ranch, Unit Two, at Document No. 200506005158
- 3. Mountain Springs Ranch, Unit Three, at Document No. 200506043479
- 4. The Vistas at Mountain Springs Ranch, Unit One, at Document No. 200406003367
- 5. The Ridge at Mountain Springs Ranch, at Document No. 200506005160
- 6. The Estates at Mountain Springs Ranch, at Document No. 200506005159
- 7. The Hills at Mountain Springs Ranch, at Document No. 200506044691

WHEREAS, Declarant also caused to be filed in the Official Map and Plat Records of Comal County the following maps or plats of the Mountain Springs Ranch Subdivision, such documents filed at the following Document Number (hereafter, collectively, "the Plat"):

- 1. Mountain Springs Ranch, Unit One, at Document No. 200406002715
- 2. Mountain Springs Ranch, Unit Two, at Document No. 200506004873
- 3. Mountain Springs Ranch, Unit Three, at Document No. 200506042959
- 4. The Vistas at Mountain Springs Ranch, Unit One, at Document No. 200506002717
- 5. The Ridge at Mountain Springs Ranch, at Document No. 200506004867
- 6. The Estates at Mountain Springs Ranch, at Document No. 200506004864
- 7. The Hills at Mountain Springs Ranch, at Document No. 200506043733

WHEREAS, at Article 9.2 of the Declaration, entitled "Architectural Review", Declarant provided for the establishment of an Architectural Control Committee ("ACC") "to be responsible for administration of the Design Guidelines"; and

WHEREAS, at Article 9.3 of the Declaration, entitled "Guidelines and Procedures,

Declarant reserved the right to establish Design Guidelines for the Properties, which “may contain general provisions applicable to all of the Properties” and which empowered the ACC with the “authority to amend the Design Guidelines”;

WHEREAS, at Article 9.4 of the Declaration, entitled “Specific Guidelines and Restrictions”, paragraph (b) of the Declaration, the Declarant provided as follows:

“In addition to the foregoing activities requiring prior approval, the following items are strictly regulated, and the reviewing body shall have the right, in its sole discretion, to prohibit or restrict these items within the Properties. Each Owner must strictly comply with the terms of this Section unless approval or waiver in writing is obtained from the appropriate reviewing body. The ACC may, but is not required to, adopt specific guidelines as part of the Design Guidelines or rules and regulations which address the following items” and

WHEREAS, at Article 10, entitled “Use Restrictions” and at Article 10.2, entitled “Rules and Regulations”, of the Declaration, the Declarant has provided, in part, as follows:

“In addition to the use restrictions set forth in this Article, the Board may, from time to time, without consent of the Members, promulgate, modify or delete rules and regulations applicable to the Properties.”

NOW THEREFORE, pursuant to the authority of the Board of Directors of the Mountain Springs Ranch Property Owners Association (“the Board of Directors”) to amend the Design Guidelines for the Properties as set forth above, the Board of Directors has determined it would be in the best interest of the Association to add the following amendments to the Architectural and Site Design Guidelines, which will be inserted at the appropriate location within the Architectural and Site Design Guidelines:

Utility Lines. Overhead utility lines, including lines for cable television, are not permitted except for temporary lines as required during construction and lines installed by or at the request of Declarant. Electrical meters shall be set back at least 80 feet from the front property line (and the side property line if a corner lot) or installed on the residential dwelling. Residences served by Pedernales Electrical Coop (“PEC”) shall have electric meters installed inside the existing pedestal located within the utility service easement or, if the electric service requires (i.e., service in excess of 250 amps), on an electric rack located in accordance with the foregoing setback requirements and approved by PEC. All additional labor and/or wire charges required to comply with this provision shall be paid by the property owner. In addition, the electric meter location shall be shown on all site plans submitted for review and approval of the ACC.

Exterior Construction. Brick may not be used as the primary exterior material for any residence or other structure. Brick may be used as an accent material only, subject to the approval of the ACC.

Propane Tanks. Propane tanks shall be buried below grade. In addition, the location of all propane tanks, if any, shall be shown on all site plans submitted for review and approval of the ACC.

NOW THEREFORE, pursuant to the authority of the Board of Directors to amend the Rules and Regulations for the Properties as set forth above, the Board of Directors has determined it would be in the best interest of the Association to add the following amendments to the Use Restrictions of the Declaration (emphasis added):

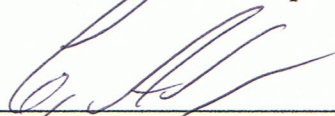
Article 10.4 Vehicles

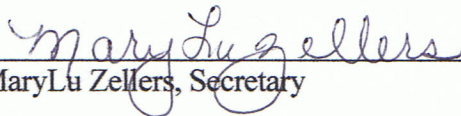
(d) All vehicles shall be subject to such reasonable rules and regulations as the Board of Directors may adopt, including, without limitation, the right to limit the number of vehicles permitted on each Lot. **Vehicles and recreational vehicles may not be operated in the Nature Preserve Area of Mountain Springs Ranch. Unauthorized operation of vehicles and recreational vehicles in the Nature Preserve Area may result in a fine of up to \$500.00 per incident.**

All other provisions contained in the Declaration and the Restrictions that are not amended hereby shall remain in full force and effect.

This, the Resolution of the Board of Directors of Mountain Springs Ranch Property Owners Association, Inc. is executed to be effective on the 18 day of Aug, 2009, at New Braunfels, Comal County, Texas. By signature below, the President and Secretary of the Board of Directors certify the forgoing Resolution of the Board of Directors was validly adopted at the August 17, 2009 meeting of the Board of Directors, or by unanimous written consent in lieu of a meeting.

Board of Directors, Mountain Springs Ranch POA

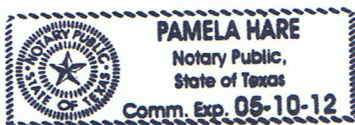
By:   
Greg Anderson, President

By:   
MaryLu Zellers, Secretary

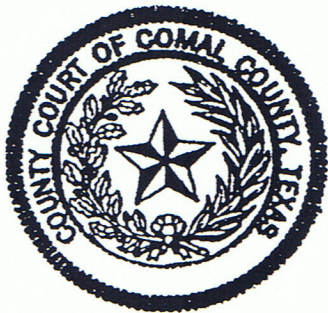
STATE OF TEXAS §

COUNTY OF COMAL §

This instrument was acknowledged before me on the 18 day of August, 2009, by Greg Anderson, President, and MaryLu Zellers, Secretary, of MOUNTAIN SPRINGS RANCH.



  
Notary Public, State of Texas



This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

Filed and Recorded  
Official Public Records  
Joy Streater, County Clerk  
Comal County, Texas  
08/19/2009 01:52:09 PM  
CASHONE  
200906029653



*Joy Streater*