

FIRST AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS 1553 0085
BENTWATER ON LAKE GRANBURY VOL. PG.

09615

STATE OF TEXAS *

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HOOD *

This First Amendment to the Declarations of Covenants, Conditions and Restrictions of BENTWATER ON LAKE GRANBURY (hereafter "Restrictions" or "Declarations") which Declaration is recorded in Volume 1538, Page 0033 in the Official Public Records of Hood County, Texas is made on the date herein set forth by PROPERTIES OF THE SOUTHWEST, INC., a Delaware Corporation, duly authorized to do business in the State of Texas ("Developer").

WITNESSETH

WHEREAS, This Amendment conforms with Article 9.03 of said Restrictions authorizing Developer to amend the Declarations at any time prior to the control transfer date without the consent of joinder of any owner for the purpose of correcting any oversight, ambiguity; and or inconsistency

WHEREAS, this Amendment is consistent with and in furtherance of the general planned scheme of development and does not impair or adversely affect any vested property or other right of any owner or his mortgagee and is executed and files prior to the closing and conveyance of any lots within the subdivision.

NOW, THEREFORE, the Developer hereby amends the Declaration of Covenants, Conditions and Restrictions as follows:

Article 4.02. is amended by adding articles 4.02.01 and 4.02.02 as follows:

Article 4.02.01. "The effective control transfer date shall be the date the Developer's instrument transferring control to the Association is recorded in the Official Public Records of Hood County, Texas".

Article 4.02.02 "The Board of Directors of the BWG Property Owners Association shall be the Architectural Control Committee and shall serve until the next succeeding annual meeting following the control transfer date".

Except as amended herein, the Restrictions shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the Developer herein, has hereunto set its hand effective the 8th day of September, 1997.

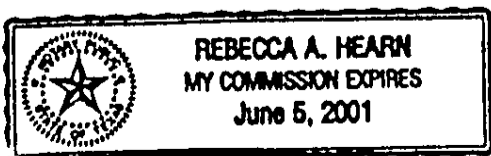
PROPERTIES OF THE SOUTHWEST, INC.,
a Delaware Corporation

By: Marcus Smith
MARCUS SMITH, President

THE STATE OF TEXAS *
COUNTY OF DALLAS *

This instrument was acknowledged before me on this the 8th day of September, 1997, by MARCUS SMITH, President of PROPERTIES OF THE SOUTHWEST, INC., a Delaware Corporation, in the capacity therein stated, on behalf of said Corporation.

Rebecca A. Hearn
NOTARY PUBLIC, STATE OF TEXAS
Notary's Name Printed:



My Commission Expires: _____

Any provision herein which restricts the sale, rental, or use of the described real property because of estate or race is invalid and unenforceable under federal law.
STATE OF TEXAS COUNTY OF HOOD
I hereby certify that this instrument was filed on the date and at the time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF HOOD COUNTY TEXAS, in the Volume and Page as shown hereon.



Anjanette Ables
ANJANETTE ABLES, County Clerk
Hood County, Texas

FILED FOR RECORD
AT _____ 1:15 P.M.

SEP 11 1997

Anjanette Ables
COUNTY CLERK: HOOD COUNTY TX