

Courtesy
411- 3pgs

Doc# 20140015467

**SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
DESERT SPRINGS UNITS 1 AND 2**

This Second Amendment ("Second Amendment") to the Declaration of Covenants, Conditions and Restrictions (the "Covenants") for Desert Springs Units 1 and 2 is made by DVEP Land, LLC and RPW Development, Ltd. as original Declarants, Direct Home Sales, Inc., Classic Ventures II, LP dba Classic American Homes II and Desert View Construction, Inc. as owners of lots in the Subdivision.

1. Recitals. Whereas, Declarant filed the Covenants for Desert Springs Units 1 and 2 (the "Subdivision") in the Real Property Records of El Paso County, Texas under Document No. 20130014902; and

Whereas, Declarant filed a First Amendment to Declaration for Covenants for the Subdivision in the Real Property Records of El Paso County, Texas under Document No. 20130072922; and

Whereas, Section 6.01 authorizes the Covenants to be amended at any time by 75% of the owners of all of the lots in the Subdivision; and

Whereas, Declarant, Direct Home Sales, Inc., Classic Ventures II, LP and Desert View Construction, Inc. own 100% of the lots in the Subdivision; and

Whereas, the Declarant and the Owners of lots in the Subdivision deem it necessary and appropriate to amend the Covenants as more fully set forth herein;

NOW, THEREFORE, the Declarant and all owners of lots in the Subdivision hereby amend the Covenants as hereinafter provided:

2. Amendment to Section 3.06. Section 3.06 is hereby deleted and is superceded by the following provision:


Section 3.06 Building Location. No building shall be located on any lot nearer than 20 feet from the front Lot line or 25 feet from the rear Lot line, nor nearer than 10 feet from side street lines, nor nearer than 5 feet from interior Lot lines, provided that the distance between buildings be no nearer than 10 feet. For purposes of this Covenant, boxed and bay windows, eaves, steps and open porches or stoops and projections of fireplaces and windows shall not be considered as part of the building, provided however, that this shall not be construed to permit any portion of a building on a Lot to encroach upon another Lot.

3. Entire Modification. Except as expressly amended herein, all provisions of the First Amendment and the Covenants are hereby ratified and shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has executed this First Amendment to Covenants to be effective this 5TH day of MARCH, 2014.

DECLARANT:

DVEP LAND, LLC

BY: 
RANDAL S. O'LEARY, PRESIDENT

RPW DEVELOPMENT, LTD.

BY: RPW DEVELOPMENT GP, LLC
ITS GENERAL PARTNER

BY: 
RANDAL S. O'LEARY, PRESIDENT

OWNERS:

DIRECT HOME SALES, INC.

BY: 
PRISCILLA HERNANDEZ, VICEPRESIDENT

CLASSIC VENTURES II, LP

BY: HOMEBUILDING VENTURES, LLC
ITS GENERAL PARTNER


BY: 
PRISCILLA HERNANDEZ, VICEPRESIDENT

DESERT VIEW CONSTRUCTION, INC.


BY: 
RANDAL S. O'LEARY, PRESIDENT

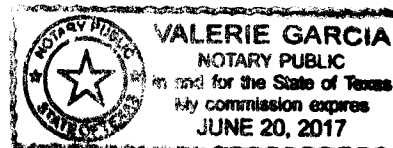
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the 6th day of March, 2014 by Randal S. O'Leary, President of DVEP LAND, L.L.C.


NOTARY PUBLIC, STATE OF TEXAS

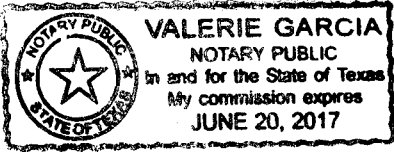
SEAL:


I HEREBY CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL DOCUMENT
ONE STAR TITLE COMPANY
OF EL PASO



THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

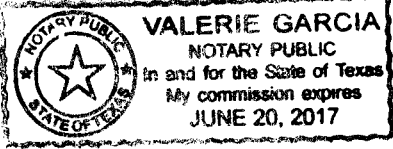
This instrument was acknowledged before me on the 16th day of March, 2014 by Randal S. O'Leary, President of RPW Development, L.L.C., General Partner of RPW DEVELOPMENT, LTD.

SEAL: 

Valerie Garcia
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the 16th day of March, 2014 by Randal S. O'Leary, President of DESERT VIEW CONSTRUCTION, INC., a Texas corporation, on behalf of said corporation.

SEAL: 

Valerie Garcia
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the 5th day of March, 2014 by Priscilla Hernandez, VicePresident of DIRECT HOME SALES, INC., a Texas corporation, on behalf of said corporation.

SEAL: 

Nancy G. Nelson
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the 5th day of March, 2014 by Priscilla Hernandez, VicePresident of Homebuilding Ventures, LLC, General Partner for CLASSIC VENTURES II, LP, a limited partnership, on behalf of said partnership.

SEAL: 

Nancy G. Nelson
NOTARY PUBLIC, STATE OF TEXAS

F:\LAB\DesertViewHomes\DesertSpringsHOA\SecondAmendDecCov.2.wpd

4
N
Doc# 20140015467
#Pages 3 #NFPages 1
3/11/2014 3:50:03 PM
Filed & Recorded in
Official Records of
El Paso County
Delia Briones
County Clerk
Fees \$34.00

I hereby certify that this instrument was filed on the date and time stamped
hereon by me and was duly recorded by document number in the Official
Public Records of Real Property in El Paso County.



EL PASO COUNTY, TEXAS

Delia Briones