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AMENDMENT TO
CONDOMINIUM DECLARATION
FOR
CAPISTRANO CONDOMINIUMS

THE STATE OF TEXAS){
){
BEXAR COUNTY){

This Amendment to the Condominium Declaration of Capistrano Condominiums, which is located in the City of San Antonio, Texas, is made and executed by the Capistrano Homeowners' Association, Inc. (called "the Association"). It is made with reference to the following facts:

1. The Association, whose principal office is at 14122 Churchill Estates Blvd., San Antonio, Texas 78248, operates a Condominium Regime for the property described in Exhibit A (attached to this Amendment). The regime was established under the Condominium Act of the State of Texas, formerly Article 1301a, Revised Civil Statutes of Texas, now codified as V.T.C.A., Property Code section 81.002, et. seq.

2. The Condominium Declaration is recorded in Volume 8, Page 633 of the Condominium Records of Bexar County, Texas.

3. The Association desires to and hereby does amend the Condominium Declaration under the powers reserved to the Association in paragraph 8.1(b) of the Condominium Declaration. At the time this Amendment was passed, the membership of the Association owned 100 per cent of the Units, as defined in the Condominium Declaration. The vote was taken at a special membership meeting on August 10, 1987. Present at the meeting, in person or by proxy, were 76% of the qualified votes. After discussion, 82% of the votes were cast in favor of the amendment and 18% of the votes were cast against the amendment. Hence the amendment passed.

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NOW THEREFORE, the Association hereby amends the Condominium Declaration of Capistrano Condominiums as follows, the amendments to be effective immediately upon the recording of this document.

A new section 2.9(f) was added. It reads as follows:

"2.9 USE AND OCCUPANCY RESTRICTIONS.

(f). AGE RESTRICTIONS. The Condominium Regime is intended to be an "all adult" community. No person between two and eighteen years of age, inclusive, (called an "underage person") shall permanently reside in any unit.

1. Nothing in this section shall be construed to restrict the ownership of a unit by any person.

2. An underage person may reside in a unit on a temporary basis. "Temporary" shall mean any period of time less than four contiguous months so long as the underage person maintains a permanent residence elsewhere.

3. These restrictions shall apply to all underage persons, whether the legal custodian is a unit owner or a lessee. Any lease of a unit must:

a. state that age restrictions exist and that persons between the ages of two and eighteen, inclusive, are not allowed to permanently reside in a unit; and

b. grant to the Homeowner's Association the contractual right to demand that an underage person be removed from permanent residency, and the right to institute a forcible entry and detainer suit on behalf of the unit owner if such underage person is not removed from permanent residency upon demand.

4. The Association may enforce this section against an owner by instituting an action for permanent injunction."

All other provisions of the Condominium Declaration are hereby restated and reaffirmed.

Executed on: 2/23/88.

Capistrano Condominiums
Capistrano Homeowners' Association, Inc.

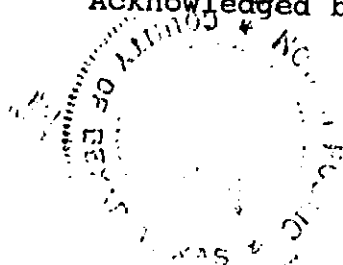
David Koppenhofer
BY: David Koppenhofer
President

STATE OF TEXAS)
)
BEXAR COUNTY)
)

BEFORE ME, THE UNDERSIGNED AUTHORITY, appeared David Koppenhofer, as President of the Capistrano Homeowners' Association, Inc., personally known to me. After being duly sworn, he claimed to be the duly authorized agent for Capistrano Homeowners' Association, Inc., that the foregoing instrument was signed on behalf of and by authority of Capistrano Homeowners' Association, Inc., and was

the free act and deed of Capistrano Homeowners' Association, Inc., done for the purposes and consideration therein expressed, and that the statements contained therein were true and correct.

Acknowledged before me on 2/23/88.



Jean Green
Notary Public -- State of Texas
JEAN GREEN
Notary Public, Bexar County, Texas

AFTER FILING,
PLEASE RETURN TO: Paul Premack
The Premack Law Office
203 E. Elmira
San Antonio, Texas 78212

my Commission expires
10-9-88

Any provision herein which restricts the sale, rental or use of the described real property because of color or race is invalid and unenforceable under Federal Law.
THE STATE OF TEXAS }
COUNTY OF BEXAR }
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Bexar County, Texas on

MAR 8 1988



Rae D. Green
COUNTY CLERK BEXAR COUNTY, TEXAS

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