

**First Amendment to Declaration of  
Covenants, Conditions and Restrictions  
on and for**

**Lots 15-24, Block 1; and Lots 1-12, Block 3 of  
ORTIZ FARMS UNIT ONE  
(Northerly Portion)**

**A SUBDIVISION IN**

**EL PASO COUNTY, TEXAS**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ORTIZ FARMS UNIT ONE (NORTHERLY PORTION) (hereinafter referred to as the "*First Amendment*"), dated effective July 19, 2005, is made by View Point Acreage, L.L.C., a Texas limited liability company (hereinafter referred to as "*Declarant*"), with respect to ORTIZ FARMS UNIT ONE (NORTHERLY PORTION), a subdivision in El Paso, El Paso County, Texas (hereinafter referred to as the "*Subdivision*").

**WITNESSETH:**

WHEREAS, by that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions, Easements, Charges and Liens", filed on July 19, 2005, recorded as Document No. 20050063581, Real Property Records, El Paso County, Texas (hereinafter referred to as the "*Original Declaration*"), Declarant imposed certain covenants and restrictions on the following described lots:

Lots 15-24, Block 2; and Lots 1-12, Block 3, ORTIZ FARMS UNIT ONE, a subdivision in El Paso County, Texas, according to the plat or map thereof recorded at Plat Book \_\_\_\_\_, Page \_\_\_\_\_ in the Plat Records of El Paso County, Texas.

WHEREAS, the legal description was (A) incomplete, in that the book and page number of the plat was not filled in on the recorded document; and (B) inaccurate, in that due to typographical error, the phrase "Lots 15-24, Block 2" should have read "Lots 15-24, Block 1";

WHEREAS, Article V of the Original Declaration permits the Declarant, its successors and assigns to amend the Original Declaration during the Development Period, in response to governmental or quasi-governmental suggestion, particularly with respect to financing;

**WHEREAS**, the subdivision is still in the Development Period, and correction of the above mentioned typographical errors is required to facility financing on the Property;

**WHEREAS**, Declarant, pursuant to Article V of the Original Declaration, now desires to correct and amend the Original Declaration;

**NOW, THEREFORE**, Declarant hereby adopts the following actions:

1. On the title page of the Original Covenants, "Lots 15-24, Block 2", is amended to read "Lots 15-24, Block 1".
2. Declarant hereby corrects the legal description of the Property which is subject to these covenants, by amending the first two paragraphs of the Preamble, on page 1 of the Original Declaration, to read as follows:

"Declarant is the owner and developer of a 20.1406 acre tract of land in El Paso County, Texas, being a replat of Lot 58, Block 1, UPPER VALLEY PLACE, UNIT 3 and TRACT 1C1 and Portion of TRACT 1DA, Block 10, UPPER VALLEY SURVEYS, City of El Paso, El Paso County, Texas. Simultaneously with the recording of these covenants, the said property is being platted as and shall be now commonly be known and described as:

ORTIZ FARMS UNIT ONE, a subdivision in El Paso County, Texas, according to the plat or map thereof filed at Volume 80, Page 77, in the Plat Records of El Paso County, Texas.

"Declarant is the owner and developer of twenty-two of the lots in ORTIZ FARMS UNIT ONE (said twenty-two lots being referred to herein as the "Properties"), which twenty-two lots are commonly known and described as:

Lots 15-24, Block 1; and Lots 1-12, Block 3, ORTIZ FARMS UNIT ONE, a subdivision in El Paso County, Texas, according to the plat or map thereof recorded at Volume 80, Page 77 in the Plat Records of El Paso County, Texas."

3. In Article I, on pages 2, 3 and 4 of the Original Declaration, respectively, the following definitions are corrected to read as follows:

"Declaration" shall mean and refer to this particular instrument entitled "Declaration of Covenants, Conditions, and Restrictions on and for Lots 15-24, Block 1; and Lots 1-12, Block 3 of Ortiz Farms Unit One (northerly portion), a subdivision in El Paso County, Texas", together with any and all amendments or supplements hereto.

"Lot" shall mean and refer to Lots 15-24, Block 1; and Lots 1-12, Block 3 of Ortiz Farms Unit One.

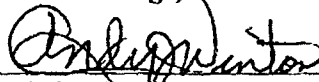
"Subdivision" shall mean and refer to Lots 15-24, Block 1; and Lots 1-12, Block 3 of Ortiz Farms Unit One, a subdivision of certain land in El Paso County, Texas, according to the plat or map thereof recorded in the Plat Records of El Paso County, Texas, as well as any and all amendments, revisions, modifications, corrections or clarifications thereto.

4. Except as otherwise provided herein, the building and use restrictions, and all other applicable provisions set forth in the Original Declaration, shall continue in effect.
5. This First Supplemental Declaration shall be effective as of July 19, 2005, the date of filing of the Original Declaration.

Executed as of the date indicated below, however to be effective as of the date first set forth hereinabove.

**DECLARANT:**

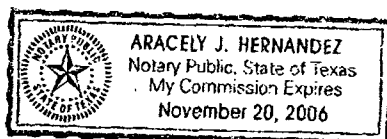
**View Point Acreage, L.L.C.**

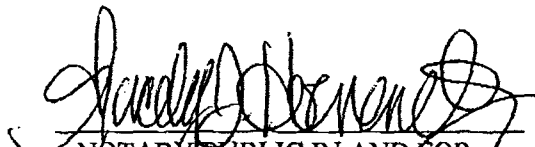
By:   
Andy J. Winton, Manager

STATE OF TEXAS                    )  
                                                  )  
COUNTY OF EL PASO            )

This instrument was acknowledged before me on the 28th day of April, 2006, by Andy J. Winton, Manager of View Point Acreage, L.L.C., a Texas limited liability company, on behalf of said company.

Notary's Official Seal:



  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

Doc# 20060038932

#Pages 3 #NFPages 1

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Filed & Recorded in

Official Records of

EL PASO COUNTY

WALDO ALARCON

COUNTY CLERK

Fees \$24.00

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

*Waldo Alarcon*