GREAT WESTERN ABSTRACT & TITLE CO.
# Pd accom.

**FIRST AMENDMENTS TO RIO VALLEY SUBDIVISION**

**HOMEOWNERS' ASSOCIATION**

**COVENANTS, CONDITIONS AND RESTRICTIONS**

The following are amendments to the Rio Valley Subdivision Homeowners' Association Covenants, Conditions and Restrictions:

Article IV., Section 1 is amended to have two parts, (a) and (b). Subsection (a) will read as follows:

(a) Upon the transfer of a Lot with a residence a capital fee in an amount of $100.00 will be paid from the transferee of the Lot to the Association for the Association's capital fund for the purposes of funding the development of the community garden and orchards on Association owned land. Each capital contribution will be collected from the transferee of a Lot upon the conveyance of the Lot from one Owner to another (expressly including any re-conveyances of the Lot upon resale or transfer thereof)."

(b) The Declarant, for each Lot owned within the Properties, hereby covenants, and each Owner of any Lot by acceptance of a deed thereof, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges and (2) special assessments for capital improvements, such assessments to be established and collected as hereinafter provided. The annual and special assessments, together with interest, costs and reasonable attorney's fees, shall be a charge on the land and shall be a continuing lien upon the property against which each assessment is made. Each such assessment, together with interest, costs and reasonable attorney's fees, shall also be the personal obligation of the person who was the Owner of such property at the time when the assessment fell due and remain a lien against the property.

Section 2 is amended to read as follows:

The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety and welfare of the residents in the Properties and for the improvement and maintenance of the Common Area. In addition, the Association will maintain the landscaping and irrigation in the parkways which is located between the curbs and sidewalks, exclusive of Borderland Road and Westside Road. No changes or modifications of the surface of the parkways is allowed without Association approval.

Article V, Section ( c ) is amended as follows:

( c ) Garages/Parking Requirements. All single family housing shall have a minimum two car garage with interior dimensions no smaller than nineteen feet six inches (19'6") and nineteen feet six inches (19' 6") deep with the exception that all single family residences less than 1,200 square feet and built on lots authorized for attached units on Blocks 11, 13 and 14 may have a one car garage with interior dimensions no smaller than 10 feet (10') in width and nineteen feet six inches (19' 6") in depth. All multi-family units shall provide a minimum of one garage space per living unit. No garages are allowed to be enclosed or converted to living area except that model homes may enclose their garage for marketing purposes but must be converted back to a garage prior to occupancy by the residents. All garages shall be setback at least twenty (20) feet from the Right of Way they are accessed from. The entrance to a garage must be flush with or recessed behind the front of the primary residence; however, this requirement may be adjusted by the Architectural Control Committee at its discretion. All alley loaded Lots shall have rear garage access.

All other remaining Covenants, Conditions and Restrictions are the same.

**DECLARANT:**

**RIO VALLEY SUBDIVISION LLC**

By: _____
Its Managing Member

**THE STATE OF TEXAS** *
**COUNTY OF EL PASO** *

The foregoing instrument was acknowledged before me by Herschel Stringfield, Managing Member, on behalf of the Rio Valley Subdivision LLC on the 5th day of May, 2015.

BRIANNA CONCHA
Notary Public, State of Texas
My Commission Expires
August 05, 2017

Brianna Concha
**Notary Public, State of Texas**

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**Official Records of**
**El Paso County**
**Delia Briones**
**County Clerk**
**Fees $34.00**

**eRecorded**

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