

**AMENDMENT TO STATEMENT OF ANNEXATION AND EASEMENT AGREEMENT FOR HUBER AIR PARK PHASE VI**

THE STATE OF TEXAS

COUNTY OF GUADALUPE

WHEREAS, there was heretofore filed of record by Huber Airpark Civic Club, LLC (the "Declarant"): (1) a Declaration of Covenants, Conditions and Restrictions Huber Air Park Subdivision recorded in Volume 1761, Page 493 of the Official Public Records of Guadalupe County, Texas; (2) an Amendment to Declaration of Covenants, Conditions and Restrictions Affecting a Portion of the Lots in Huber Air Park Subdivision recorded in Volume 1968, Page 29 of the Official Public Records of Guadalupe County, Texas; (3) a Declaration of Covenants, Conditions and Restrictions Huber Air Park Subdivision recorded in Volume 2010, Page 177 of the Official Public Records of Guadalupe County, Texas; (4) an Amendment to Declaration of Covenants, Conditions and Restrictions Huber Air Park Subdivision recorded in Volume 2339, Page 99 of the Official Public Records of Guadalupe County, Texas; (5) any other amendments, supplements and modifications of the foregoing which are of record (1, 2, 3, 4, and 5 above are collectively referred to as the "Declaration").

WHEREAS, there was heretofore filed of record by Declarant: a Statement of Annexation and Easement Agreement for Huber Air Park Phase VI (with Subordination of Lien To Plat, Annexation and Easements) in Volume 2860, Pages 145 of the Official Public Records of Guadalupe County, Texas referred to as the "Annexation"), which cover the following described real property

Huber Air Park Phase VI, a subdivision located in the J.D. Clements Survey, A-11, Guadalupe County, Texas and more particularly described in a plat recorded in Volume 7, Page 559 of the Map and Plat Records of Guadalupe County, Texas.

The above described property is hereinafter referred to as the "Huber Air Park Phase VI".

WHEREAS, Section 4 of the Annexation provides: "4. *Amendment by Declarant.* As to Huber Air Park Phase VI, the Declarant shall have and reserve so long as Declarant owns at least one lot in Huber Air Park, Phase I, Huber Air Park Phase II, Huber Air Park Phase III, Huber Air Park Phase IV, Huber Air Park Phase V or Huber Air Park Phase VI or otherwise subject to this Statement of Annexation, the right at any time and from time to time, without the joinder or consent of any other party, to amend this Statement of Annexation or any future declaration of protective covenants, by an instrument in writing duly signed, acknowledged, and filed for record."

WHEREAS, Declarant owns all of the lots in Huber Air Park Phase VI and more than one lot in one or more of the other phases of Huber Air Park described above.

NOW THEREFORE, Declarant hereby amends the Annexation by deleting Section 5 in the Annexation and replacing it with the following revised Section 5:

"5. *Assessments and Association Dues.*

(A) As to Lot 1 of Huber Air Park Phase VI, such Lot 1 shall be subject to assessments and annual Association dues as follows: (1) for so long as Lot 1 is used in whole or part for rental of aircraft hangar space during any portion of a calendar year, such Lot 1 shall be subject to Association dues equal to eight (8.00) percent of the total aircraft hangar space rents collected during the previous calendar year; (2) at such time as Lot 1 does not qualify for treatment under (1) above, such Lot 1 shall be subject to Association dues as set forth in the Declaration; and (3) Lot 1 shall be subject to assessments (other than annual dues as set forth above) as set forth in the Declaration.

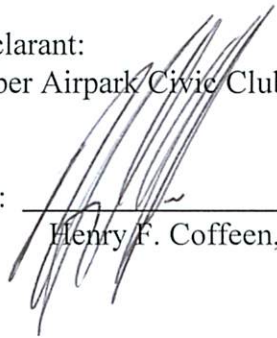
(B) As to Lot 3 of Huber Air Park Phase VI, such Lot 3 shall be subject to assessments and annual Association dues as follows: (1) for so long as Lot 3 is used in whole or part for rental of aircraft hangar space during any portion of a calendar year, such Lot 3 shall be subject to Association dues equal to eight (8.00) percent of the total aircraft hangar space rents collected during the previous calendar year; (2) at such time as Lot 3 does not qualify for treatment under (1) above, such Lot 3 shall be subject to Association dues as set forth in the Declaration; and (3) Lot 3 shall be subject to assessments (other than annual dues as set forth above) as set forth in the Declaration.

(C) As to Lot 4 of Huber Air Park Phase VI, such Lot 4 shall be subject to assessments and annual Association dues as follows: (1) for so long as Lot 4 is used in whole or part for rental of aircraft hangar space during any portion of a calendar year, such Lot 4 shall be subject to Association dues equal to eight (8.00) percent of the total aircraft hangar space rents collected during the previous calendar year; (2) at such time as Lot 4 does not qualify for treatment under (1) above, such Lot 4 shall be subject to Association dues as set forth in the Declaration; and (3) Lot 4 shall be subject to assessments (other than annual dues as set forth above) as set forth in the Declaration.

(D) As to Lot 2 of Huber Air Park Phase VI, such Lot 2 shall not be subject to any assessments or Association set forth in the Declaration. Notwithstanding the fact that Lot 2 is not subject to Association dues and assessments, the owner of Lot 2 shall be a member of the Association with full voting rights.”

EXECUTED to be effective as of September 3, 2010.

Declarant:  
Huber Airpark Civic Club, LLC

BY:   
Henry F. Coffeen, III, President

STATE OF TEXAS )  
COUNTY OF GUADALUPE )

This instrument was acknowledged before me on September 3, 2010,  
by Henry F. Coffeen, III, as President of Huber Airpark Civic Club, LLC, a Texas limited liability  
company, on behalf of said company.



*[Signature]*  
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Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

Knobles, Raetzsch, Moore & Eveld, L.L.P.  
202 N. Camp  
Seguin, Texas 78155  
(830) 379-9445 (tel.)  
(830) 379-3714 (fax)

AFTER RECORDING RETURN TO:

↳ Christopher H. Moore  
Knobles, Raetzsch, Moore & Eveld, L.L.P.  
202 N. Camp  
Seguin, Texas 78155

FILED FOR RECORD

10 OCT 27 PM 2:55

TERESA KIEL  
COUNTY CLERK GUADALUPE COUNTY

BY *[Signature]*

STATE OF TEXAS  
COUNTY OF GUADALUPE  
I certify this instrument was FILED on the  
date and at the time stamped thereon and  
was duly recorded in the Official Public  
Records of Guadalupe County, Texas.



*[Signature]*  
TERESA KIEL  
Guadalupe County Clerk